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Conſiderations on the preſent ſtate of the Peerage of Scotland. By a Peer of Scotland. [*Said to be Lord Elibank.*]

A copy of this pamphlet was ſent to each Scottiſh Peer by poſt before the election Nov. 15.

FOR ſome time after the union, the Peers of Scotland were conſidered in ſo very reſpectable a light, that, in the year 1708, it was thought neceſſary to paſs an act of parliament, regulating the number of their attendants at their meetings, and reſtraining them, under the ſevereſt penalties, from treating of any ſubject that did not relate immediately to voting, at their elections.

It muſt be allowed, they have long loſt a great deal of their importance; and at this time it would be thought ridiculous in the legiſlature to apprehend any bad conſequence from their meetings or deliberations.

Their number, it is true, is diminiſhed; but their order is poſſeſſed of a greater ſhare of the property of their country than at the union; and as the power of chuſing their ſixteen repreſentatives was then divided among 150, and is now confined to little more than 60, this circumſtance ought to add to the importance of the individuals.

This is far from being the caſe; for a Scots Peer, whether of the ſixteen or not, is by no means conſidered as a diſtinguiſhed member of the ſtate, independent of other perſonal advantages.

Surely this degradation is not to be imputed to the want of a ſufficient ſhare in the government and legiſlation of this great empire: Sixty Scots Peers are veſted with the hereditary and excluſive privilege of conferring the higheſt dignity a Britiſh ſubject is capable of enjoying, on ſixteen of their own number.

An Engliſh Peer derives his ſeat in the Houſe of Lords from the King's patent beſtowed on himſelf or his anceſtor; but if a Scots repreſentative was to be really choſen by the free voice of his fellow-peers, he would add to the dignity of his title, and the merit of his anceſtors, the approbation of his country, diſtinguiſhing him as a perſon qualified to repreſent their whole body in the moſt important of all truſts. This diſtinction would add a luſtre to the patent, ſuperior to every honour the conſtitution of this country admits of.

Noblemen holding their dignity by this tenure, would be conſidered as ſuperior to other members of the Houſe of Lords; and the power of conferring ſo ſingular a mark of diſtinction, would render their electors of the greateſt conſideration.

The ſixteen Peers thus elected, would not hold their ſeats on the precarious footing of the approbation or continuance in power of a miniſter: inſtead of being obliged to pay a ſervile court to him, they would be courted by him; and no change in adminiſtration could affect the ſecurity of their ſeat; it could only be affected by the loſs of the good opinion of their electors, which, as they are few in number, and men of birth and education, no good man would regret to depend on.

Such of the preſent ſixteen as are likely to be choſen on this honourable footing, have a manifeſt intereſt to introduce a method of election, which would at once put them in the moſt reſpectable ſituation, and vindicate them from the mortifying imputation of being choſen merely becauſe the miniſter thought them fit engines to execute his commands.

To form a judgement of what would be the conſequence, if the Peers of Scotland were to exert their privilege of chuſing their repreſentatives, it will be proper to conſider it,

1. With relation to the great Peers beſt intitled to this mark of diſtinction.

2. With reſpect to the other Scots Peers, their electors.

3. With reſpect to the whole order in general.

4. With reſpect to the country they repreſent, as well as England, and the public in general.

5. With reſpect to his Majeſty, and the royal authority.

1. As to the firſt, Never was there ſo humbling a degradation as what the Scots Peers of the firſt rank and pretenſions ſuffer, by the preſent mode of their admittance to the Houſe of Lords. For the truth of this, one needs but appeal to their own feelings, or to the common eſtimation of mankind.—A Scots Peer of the firſt rank is conſidered as an inſtrument ſingled out, and poſted in the Houſe of Lords, by the appointment of the miniſter at the time, for the end of ſupporting his meaſures, whatever they are, or may be; and who, in caſe of failure, muſt expect to be turned out at the expiration of his term of ſeven years:—he is ſuppoſed to be compoſed of ſuch pliant materials, that, in the event of a change of adminiſtration, the next miniſter makes no doubt of finding him equally obſequious, and ready to renounce his former connections. If he ſhall diſcover the ſmalleſt heſitation or remorſe, or ſhall plead paſt ſervices, he has the example of Lord Stair, the Duke of Montroſe, the Marquis of Tweeddale, Lord Eglinton, &c. &c. to defer him.

To theſe diſhonourable conditions muſt men of the higheſt quality and fortune ſubmit, if they hope to obtain or preſerve their ſeats in the Houſe of Lords.

Were the ſame men to owe their ſeats to the free ſuffrages of their Peers, their ſituation would be as flattering as it is now contemptible.—Birth and fortune, diſtinguiſhed by the approbation of the whole body of their order, would point them out as the moſt reſpectable ſet of men in the kingdom: their weight and influence would be in proportion; they would be honoured and courted by men of all ranks; and their concurrence would become a real ſupport to a miniſter.

2. As to the inferior Scots Peers, the perſons conferring this diſtinguiſhing mark of honour on the other ſixteen; they would derive reputation and protection from their choice;—they would be certain of the ſupport of ſixteen of the moſt dignified men in the realm, who would

would find themſelves intereſted in ſeconding their juſt claims and pretenſions.

At preſent, as the elected owe them no obligation, they are at liberty to neglect them; and as they are beholden to the miniſter alone for their ſeats, they would be in the wrong to excite his jealouſy, by ſeeming to interfere with him in paying court to the electors.

Thus theſe men are weak enough to give up the advantage of ſecuring to themſelves ſixteen certain and powerful protectors, for a precarious dependence on a miniſter, who muſt neceſſarily deſpiſe them, and who can neither have leiſure nor inclination to liſten to their demands.

A Scots Peer, loaded with a large family, may want a penſion for himſelf, and a commiſſion in the army for a ſon. Has he a better chance to ſucceed, by applying directly to a miniſter, who knows him not, than by the intereſt of ſixteen men of the moſt elevated rank and dignity, acquainted with his ſituation and pretenſions, and who muſt conſider themſelves as partly beholden to him for the high rank they hold in the commonwealth?

3. With reſpect to the Scots Peerage in general; there can be little doubt, that if they were to make uſe of their right to chuſe their own repreſentatives, from the moſt contemptible, they would become at once the moſt honoured order of men in the kingdom: No unclean thing could enter through them; no Peer from Scotland would appear in the Houſe of Lords to diſgrace his rank, and belie his patent: the check of keeping ſuch men at home, and ſending only ſuch as had the teſt of public approbation to accompany them, would ſecure the whole order in the general eſteem: the hopes of attaining, ſometime, to this high dignity, would be an incitement to the young nobility to deſerve it; ſo that ſubjects worthy of this higheſt of diſtinctions could never be wanting.

4. That the country they repreſent would be benefited, will hardly be diſputed: men who owed their elevation to the approbation of their country, would naturally make it their endeavour to preſerve its good opinion.

The laws of Scotland are totally different from thoſe of England; the whole property of that country is liable to be decided in the Houſe of Lords, and it cannot be a matter of indifference to the owners of it, whether their judges in the laſt reſort be ſuch as have received their approbation. — National points occur every day; and ſurely the intereſt of Scotland is more likely to be underſtood, explained, and ſupported, by noblemen choſen by the whole body of Peers of that country, than by any miniſter. — Indeed the whole kingdom of Scotland is as eſſentially intereſted in the proper execution of the article of union relating to their Peerage, as the Peers themſelves; it was what that nation had reaſon to expect at the union; and it is a manifeſt violation of the treaty to deprive it of a free repreſentation, whatever may be the means that are made uſe of to pervert it. England has equal reaſon to complain of this incroachment; while, inſtead of the advantage of having ſixteen choſen and independent noblemen added to the Houſe of Lords, they feel themſelves loaded with ſixteen men who muſt neceſſarily obey the dictates of a miniſter, and who, indeed, are not to be conſidered as free agents.

5. No body is ſo much injured by this manifeſt violation of the articles of union, as his Majeſty.

If ſixteen noblemen were ſent to the Houſe of Lords by the unbiaſſed choice of their Peers, their credit, influence, and abilities, would be a real ſupport to the throne, and would give weight and credit to the meaſures of government. — The intereſt of the Peerage is ſo inſeparably connected with the maintenance of the royal authority, that ſuch men would ever be ready and able to enforce it, and to prevent every attempt to impair it: they would be never-failing inſtruments to reconcile the remoteſt parts of the country to the meaſures of adminiſtration. But as elections are now conducted, nothing is ſo natural as for the people to ſuſpect a bad deſign, where indirect means are employed to diſappoint them of that repreſentation in the Houſe of Lords they think themſelves intitled to by the articles of the union.

If the above reaſoning is juſt, and all degrees of men, from the King to the peaſant, are intereſted in ſupporting the independency of the Scots Peerage, it may ſeem difficult to explain, why ſo much pains has been taken to diveſt that order of men, in particular, of all dignity and privilege; and why the bulk of the people, contrary to cuſtom, have

concurred with men in power in their endeavours to degrade the Peerage of Scotland.

I acknowledge the ſeeming contradiction; the difficulty, however, may be accounted for, ſo far as relates to the multitude, did not the explanation require a long hiſtorical diſcuſſion.

It is not eaſy to account for, or to juſtify, the maxims and conduct of the miniſters, who, by adopting this meaſure, ſeem to have forgot, that, in this government, the dignity of the nobility is the ſureſt ſupport of the crown; and by abaſing the Scots nobility, they deprive the King of an influence much ſuperior and more effectual than that of the ſtanding army kept up in that country.

It likewiſe ſurpaſſes my abilities to account for the ſubmiſſion of the Scots Peers, or by what arts or faſcination they have been brought to acquieſce in the ſurrender of the valuable privilege of being named, and of naming, repreſentatives.

Thoſe of the firſt rank and fortune are certainly above the influence of money; and yet they have been ſelf-denied enough to give up the certainty of obtaining the moſt flattering of all diſtinctions, for a ſeat meanly procured, and held, at the will of a precarious miniſter.

The inferior Scots Peers muſt groſſly miſtake their intereſt, if they imagine any gratuity a miniſter can beſtow, to be equal in point of value to the advantage they would derive from the privilege of ruling ſixteen of their number to an elevation which their own poſterity might probably one day aſpire to.

If I may be allowed to make uſe of a vulgar compariſon, their conduct ſeems to me as unjuſtifiable in point of profit, as if a merchant who had a commodity to diſpoſe of worth a thouſand pounds, ſhould willingly agree to debaſe it, ſo as to be only worth a ſhilling.

Notwithſtanding the picture I have endeavoured to draw, it muſt be allowed there may exiſt a few individuals, who may think it more for their intereſt to have the ſixteen Scots Peers nominated by a miniſter, than elected by their country.

Thoſe can only be ſuch of the order as are conſcious of having no chance to be choſen by their fellow peers; but, by taking advantage of the ignorance, weakneſs, or particular means of acceſs to a miniſter, might hope to get themſelves nominated, in defiance to the unbiaſſed voice of their electors.

LONDON GAZETTE, *November* 19.

Tranſlation of his Catholic Majeſty's Declaration of War againſt the Emperor of Morocco.

WHereas, at the adjuſtment of peace with the King of Morocco, the renewal and fixing the boundaries of the territory which is annexed to my forts on the coaſts of that kingdom, were ſettled, as alſo the reſtitution of deſerters, and various other conditions, which all teſtify the ſaid prince's recognition of the inconteſtable right in my crown to thoſe places, ſituated in countries which had been part of the Spaniſh monarchy; and although by the very act of the King of Morocco himſelf having complied with theſe ſtipulations, it appears, that living in peace with Chriſtians who occupied thoſe places in Africa, was not inconſiſtent with the ſect which he profeſſes: Notwithſtanding all this, he, doubtleſs not attending to all the advantages which he receives from peace and commerce with my dominions, has written me a letter, in which, founding himſelf upon maxims and principles of his own ſect and policy, ſtrange and new ones entirely, compared with thoſe received among European nations, he tells me, that he will make war againſt theſe forts, and pretends, at the ſame time, that ſuch a ſtep is not to interrupt the friendſhip, the intercourſe, and commerce, betwixt our reſpective ſtates, &c. as appears from the tenor of the ſaid letter; which, being tranſlated from the Arabic, is literally as follows.

"In the name of the Merciful God, and there is no help but in the Great God.

Mahomed Ben Abdalla. (L. S.) The 15th of the month of Reged, in the year 1188.

To the King of Spain.

Health to him who follows the law, and perſiſts therein. Know ye, That we are in peace with you according to the treaties of peace made between us and you: but the Mahometans of our dominions, and of Algiers, have agreed, ſaying, That they will not ſuffer any Chriſtian whatever to be on the coaſts of Mahometan countries from Ceuta to Oran, and they will recover to themſelves

ſelves the poſſeſſion of them. For which reaſon they have requeſted us to attend ſeriouſly to this affair, ſaying, *Thou haſt no excuſe for remaining quiet, or conſenting that Mahometan countries ſhould remain in the power of Chriſtians, at a time when God hath given thee forces and warlike inſtruments, ſuch as no one elſe hath.* It was not poſſible for us not to attend to their inſtances, or aſſiſt them upon this ſubject: And now we are deſirous of taking the matter into conſideration. If the Algerines undertake the war together with us, as they have deſired to do, it is well; but if they withdraw themſelves, and oppoſe what they themſelves have deſired, we will conſider them as enemies, and fight in perſon againſt all, till God ſhall decide between us and them. And this buſineſs is not againſt the peace which ſubſiſts betwixt us and you: Your traders and their ſhips will remain as before, and will take their proviſions and other things from any of our ports, as they pleaſe, conforming to the cuſtoms now obſerved in them, agreeably to the marine treaty between our reſpective *caravels*; and your ſhips will receive no damage, ſo that your ſubjects will trade in all our dominions, and will travel by land and by ſea, with all ſecurity, and no body will hurt them, becauſe we have eſtabliſhed peace with you, which we will not break, if you, on your part, do not:—In which caſe you will be allowed four months, that every body may know it; and what we have ſaid, concerning our going to the ſaid countries, is, becauſe we are obliged to it, and have no method of excuſing ourſelves from it. But with reſpect to peace at ſea, we will do according to our own will. And now we give you an account of the truth of this buſineſs, that you may be adviſed thereof, and conſider what ſuits you. And we have ſigned this letter with our own illuſtrious hand, that you may be aſſured of its certainty. Greeting, the 15th day of the month of Rageb, in the year 1188, (19th September 1774.)"

And judging it unbecoming my ſovereignty to liſten to, much leſs to admit, ſuch propoſitions; and being beſides informed, that the perſon who was charged by the King of Morocco to deliver this letter to the governor of Ceuta for me, had declared, that, in proof of the peace being at an end, the Moors in the camp would fire againſt the fort with ball as ſoon as he had left it, which they actually did; and being informed, that the ſaid Moors have ſince continued to fire againſt certain fiſhermens boats, which were near them as uſual, by which hoſtilities the Moors have broken the peace: I have reſolved, upon account of theſe acts, and from the time they were committed, to declare, that it is to be underſtood, that the friendſhip and good harmony with the King of Morocco is interrupted, all communication is to ceaſe between my ſubjects and his, and things to return to the ſtate of war, by ſea and land, in which they were before the treaty was ſettled; keeping up only the 17th article of it, in which it was ſtipulated, that, in caſe of a rupture, ſix months ſhould be allowed to the individuals of both nations to retire freely to their reſpective countries with their goods and effects, which I order ſhall be kept and obſerved punctually with the Morocco ſubjects; being perſuaded, that that prince will obſerve the ſame with reſpect to mine. And whereas lately the King of Morocco having ſent me ſome Spaniſh captives, which he had obtained from the regency at Algiers, I did order the Alcaide who brought them, that not only all the Morocco Moors, who by having been taken on board Algerine veſſels were priſoners in Carthagena, ſhould be delivered up, but alſo all the wounded and old Algerines who were there; I am deſirous that theſe unhappy people ſhould effectually have their liberty, and be conveyed to the kingdom of Morocco, as was intended, notwithſtanding the new ſtate of affairs which has ariſen, being moved thereto by the pity with which I conſider their fate, and becauſe they ſhould not be prejudiced by an event in which they have no concern. Wherefore, and in conſequence of all that has been ſtated, I order, that the peace between thoſe dominions and theſe ſhall be held to be broken, and the war be renewed, and that the ſubjects of the King of Morocco ſhall not be diſturbed in their free return to their country, with their goods and effects, for which I grant the term of ſix months, counting from the day of the publication of this ceduia. For ſuch is my will. Dated at San Lorenzo el Real, October 23. 1774.

I THE KING,

GERONIMO DE GRIMALDI.

On

On the improvement of the Highlands. [529.]

5. *Cauſes and conſequences of the management of the ſheep in Spain.*

THE earlieſt records we have of Spain mention their wool as particularly fine *; and as it was a conſiderable article of commerce, it has probably at all times obtained a very particular ſhare of their attention. But when the Moors, in the eighth century, over-ran that country, and drove the natives to the mountains of Leon and Aſturias, their monarchs themſelves might be ſaid to be little better than ſhepherds, and the produce of their flocks was, in all probability, their only revenue. And even after the Moors were gradually forced to retire, this ſeems to have long continued a very conſiderable part of the royal demeſne †; for till of late all the ſheep in that country belonged to the crown, the exigencies of different monarchs alone having induced them to diſpoſe of part of their flocks to private perſons, the laſt of theſe having been ſold by Philip I. to the Marquis of Stubletta. It was this circumſtance which gave riſe to that numerous code of laws relating to the royal flock in Spain, forming in all one large volume in folio, and eſtabliſhed that regular ſubordination of ſhepherds that ſtill prevails in that country; and by making private intereſt give way to the conveniencies of the ſtate, took away every reſtraint that would otherwiſe have prevented thoſe regular and extenſive perambulations of their ſheep, ſo neceſſary for the health of the flock, and preſervation of the wool. But as many of your readers may be unacquainted with their peculiar mode of managing their ſheep in that country, it will be proper to give them a ſhort account of it.

In Spain it is not cuſtomary to meet with ſmall flocks of ſheep the property of private individuals, as in other parts of Europe. While they belonged to the crown they were divided into flocks, each flock conſiſting of about ten or twelve thouſand, which was governed by one chief ſhepherd, who had under him others of a ſubordinate rank; who had others likewiſe under them in a regular gradation as in the army; and, like the army, likewiſe, they had power to puniſh offences among themſelves, without being amenable to any other court. And as they were diſpoſed of in whole flocks, they could become only the property of great men; ſo that the ſame laws and cuſtoms ſtill prevail as formerly. The flocks are nearly of the ſame ſize as of old; and the ſame hierarchy of ſhepherds continued. Theſe large flocks of ſheep have each, by law, a privilege of paſturage in certain diſtricts of the mountains in ſummer, and of particular parts of the low countries in winter, upon paying to the proprietors of the ground a fixed price for that privilege: they are therefore obliged to travel regularly in the ſpring of the year, from the low countries of Eſtramadura, &c. toward the mountains of Leon and Aſturias, where they feed till the autumn; and then ſetting out, they as regularly return to inhabit the plains during the winter; thus making twice a-year a journey of ſeveral hundred miles; the inhabitants of the countries through which they paſs being obliged, at the proper ſeaſons, to leave openings in their vineyards, &c. ſufficient to let them paſs without moleſtation.

This particular mode of management has been evidently ſuggeſted by motives of convenience, and not from any premeditated deſign of improving their wool. For as the mountains are covered with ſnow during many months in the winter, when the vallies enjoy an agreeable temperature of climate, the ſheep having had at that ſeaſon no food in the mountains, while they could gather abundance

* Strabo mentions fine wool as one of the principal articles of commerce carried from Spain; and ſpeaking of *Turdetania*, one of its provinces, now a part of Portugal, he has theſe words: "Frequens inde primum veſtis veniebat, nunc vero *Coraxorum* amplius lanificium excellentiſſimæ pulchritudinis, unde admiſſarii arietes talento emantur." The *Coraxi* were a people of Aſia. We may remark by this paſſage, that fine wool had been in very high eſtimation under the Roman emperors, as they gave ſuch a high price as a talent, equal to 216 l. Sterling, for a ram for improving the breed.

† It is computed that the number of ſheep that formerly belonged to the crown, amounted to five millions, which yielded ſuch a conſiderable revenue, as with juſtice to deſerve the title of, *The precious jewel of the crown*, which the Kings of Spain gave them in their ordinances. To take care of theſe, a royal council was formed under the title of, *The council of the grand royal flock*, which exiſts to this day; and the laws relating to ſheep in Spain are to this day called, *The laws of the royal flock*, although the King has not now a ſingle ſheep. [xxvi. 361.]

abundance in the low countries without doing any damage to the ſummer-crop, were ſent there to reap the benefit thereof; and in the ſummer, when the low ground is covered with a crop, they aſcend to the mountains, and eat the herbage produced upon them at that ſeaſon, which they could not get at in winter. And as this practice was firmly eſtabliſhed by the influence of the crown before individuals had acquired that idea of private property that now prevails in Europe, it ſtill continues to be univerſally followed, to the no ſmall benefit of the public, as it has been, in all probability, the principal mean of preſerving the wool of that country ſo long of ſuch a fine quality; for as the ſheep are always kept upon the cold mountains in ſummer, they never experience a degree of heat near ſo great as what is felt even in this iſland during that ſeaſon of the year, and prodigiouſly leſs than in the vallies of any other country of Europe. And, by having their flocks thus carefully kept at all times from intermixing with one another, eſpecially at the rutting-ſeaſon, when they are in the mountains at a very great diſtance from every other kind of ſheep, the original breed is more effectually preſerved from being debaſed by any of the baſtard ſort than could poſſibly be effected in any country where property is more divided, and flocks of different kinds more intermixed with one another; and if we add to all this, that the wool in Spain is almoſt the only article that brings any money to the owner of a flock, and that of conſequence it is a principal object of their attention to prevent it from degenerating, we will not be ſurpriſed that this has ſo long preſerved a ſuperiority over the reſt of Europe, who have neither ſuch conveniencies for paſturage, ſuch means of preſerving their race of ſheep diſtinct from one another, nor ſuch temptation to beſtow their whole attention to their wool, as the carcaſe in many other caſes becomes an object of greater importance than the fleece.

That the wool of Spain would quickly become of as bad a quality as in other warm climates, were the ſheep allowed to remain in the vallies during the ſummer ſeaſon, ſeems extremely probable; ſeeing there is actually found another breed of ſheep in Spain beſides thoſe I have mentioned, which being the property of private individuals, remain in one place throughout the whole ſeaſon in the low countries, and carry a very coarſe ſort of wool, which may probably have been ſome of the ancient breed of Spaniſh ſheep that had fallen into the hands of the Moors, who never having had poſſeſſion of the mountains, could not ſend them thither in ſummer, that has poſitively occaſioned them to degenerate to what they now are; or perhaps theſe may be the deſcendents of ſome ſheep that the Moors may have brought with them from Africa.

That theſe perambulations in Spain contribute in a very high degree to improve the quality of their wool, and that a temporary heat during the ſummer ſeaſon tends very much to debaſe it, may be eaſily obſerved by any one who will take the trouble to examine a fleece of wool of our own produce, which has been allowed to grow to its whole length, as he will immediately perceive, that the outſide, or that part of the fleece that grew upon the ſheep during the ſummer ſeaſon, is much coarſer than the inſide of the fleece that has been produced during the cold weather of winter; for let him pull out any ſingle filament of wool, and he will find, that the end which adhered to the ſheep is not perhaps one fourth part of the thickneſs of the other end. This is a fact that all wool-ſorters are well acquainted with, although few people ſeem to have beſtowed much attention toward diſcovering the cauſe thereof; but it will afford us more light in endeavouring to diſcover the nature of the wool produced in different countries, with the means they have of improving the quality of the ſame, and conſequently their fitneſs or the reverſe for carrying on an extenſive woollen manufacture of their own materials, than any other fact that I have hitherto met with; for nothing can be a greater defect in the quality of wool, than this unevenneſs of the ſize of the ſame filament, as it is impoſſible ever to ſeparate the coarſe from the fine, which will moſt effectually prevent it from working kindly in any manufacture whatever.

If theſe obſervations are juſt, it would ſeem that thoſe countries alone could produce wool of a very fine quality, which were not only cold, but as uniformly ſo throughout the whole ſeaſon as poſſible. On this account we might expect that the fineſt wool might be produced with leaſt trouble or care upon the ſides of very

very high mountains in the torrid zone, as there the degree of cold is invariably the ſame. Accordingly we find, that the ſheep which were carried from Old Spain to the Andes of America, continue to afford as fine, or perhaps finer wool than that of Old Spain, although they are not there an object of any concern to the proprietors, except upon account of their carcaſe. We would next expect to find wool of the beſt quality in mild, uncultivated countries, where property was unfixed, and the inhabitants accuſtomed to an ambulatory life; as there they would always vary their habitations as the ſeaſon required it, retiring to the mountains in ſummer to enjoy the coolneſs that theſe afforded, and retreating to the vallies in winter, that they might avoid the rigour of the ſeaſon themſelves, and find abundance of food for their flocks. And ſuch is exactly the conduct of the inhabitants of Perſia, where the fine wool before mentioned is produced*, and of Spain, which produces the fineſt wool in Europe. In northern climates, if property is much divided, ſo as to prevent theſe perambulations, little fine wool can be expected, except it be in ſmall iſlands; and not even in theſe, if they are in a very high latitude; becauſe the heat of the ſummer in northern countries becomes ſo intenſe for a ſhort time, as muſt tend, in a very powerful manner, to vary the quality of the wool in this reſpect: and accordingly we find it remarked by Buſching†, that in Iceland the wool on the ſurface of the fleeces is very coarſe, but that which grows near the bodies of the ſheep is finer. And for the ſame reaſon we may expect that the wool in Norway, Denmark, Sweden, and other northern countries upon the continent, will be ſtill more ſubjected to this inconvenience, unleſs they be carefully driven to high mountains in ſummer, as the heat is then in theſe countries extremely intenſe.

But as the difference between the heat of ſummer and the cold in winter is far leſs conſiderable in Great Britain than in any other country of Europe, it gives us an undoubted ſuperiority over all of theſe with regard to rearing of wool; a ſuperiority of which we often vainly boaſt, but in other reſpects take little heed how to improve to the utmoſt; for which we are ſurely much to blame, as it is hardly to be doubted, but that thro' careleſſneſs the quality of our wool is gradually debaſing, while that of our neighbours is improving by an oppoſite conduct. Nor is the ſuperiority that we poſſeſs from our ſituation ſo great as to put it out of their power, by a ſkilful management of their ſheep, in a ſhort time greatly to excel us, if we neglect to take care of ourſelves. It behoves, therefore, the inhabitants not only of Scotland, but alſo of England, to beſtir themſelves in time, and, by a due attention, to take care to inſure to themſelves a ſuperiority in the woollen manufacture, which they have long enjoyed, but which, from many circumſtances of late, does not ſeem at preſent fixed upon ſuch a firm footing as we would fondly wiſh to believe. England has already reaped very great benefits from the wool produced in it; but as Scotland has not hitherto been in any reſpect benefited thereby, it is of importance to diſcover the cauſes that have prevented it, which I ſhall endeavour to point out in my next.

* Tavernier takes notice in many places of his journal of perambulations of this ſort: — "A quatre lieues (ſays he, t. 1. p. 38.) de la ville (Erivan), vers la midi, il y a des hautes montagnes, où les payſans qui habitent le pais chaud du cote de la Chaldee, viennent, juſques au nombre de vingt mille tentes, c'eſt a dire de familles, chercher en eſte le bon paturage pour leur betial, et ſur le fin de l'automne ils reprennent le chemin a leur pais," &c.

† Geogr. vol. 1. p. 219.

An INSCRIPTION on a mural monument, which was opened on Tueſday, Nov. 22. erected, in the Grayfriars churchyard, Edinburgh, to the memory of Mr COLIN MACLAURIN, Profeſſor of Mathematics in the univerſity of Edinburgh, whoſe remains were interred near to the ſouth wall of the church. [viii. 298.]

Infra ſitus eſt
COLIN MACLAURIN,
Mathef. olim in Acad. Edin. Prof.
Electus ipſo NEWTONO ſuadente.
H. L. P. F. *
Non ut nomini paterno conſulat,
Nam tali auxilio nil eget;
Sed ut, in hoc infelici campo,
Ubi Luctus regnant et Pavor,
Mortalibus prorſus non abſit Solatium:
Hujus enim ſcripta evolve,
Mentemque tantarum rerum capacem,
Corpori caduco ſuperſtitem, crede.

* [*Hunc Lapidem Poſuit Filius;*]

The

The Hiſtory of Europe, continued. [520.]

POLAND.

THE King of Poland, in his circular letter for the calling of the ſenatus conſilium, which was to meet at Warſaw on the 8th of February 1773, informs the ſenators, that their meeting had for its object, the preſent diſtreſsful ſtate of their country, invaded and divided between three neighbouring powers; and encourages them to hope, that if they concur with him with temper and unanimity, in ſuch meaſures as ſhall appear moſt eligible in their unhappy ſituation, that Divine Power, who had ſo miraculouſly reſcued him from the hands of the aſſaſſins, when there did not appear a glimpſe of hope for his deliverance, would ſtill, in ſome manner, interfere for the preſervation of their country, and its deliverance from a foreign yoke.

It is one of the preliminary requiſites in Poland, for the convocation of a diet, that the King, at a ſtated time, previous to its intended meeting, ſhall write circular letters to the ſeveral palatinates, for their holding dietines, or meetings for the election of deputies, at a time appointed; in which letters, he alſo acquaints the nobility with the cauſes for holding the diet, and the ſeveral matters that are to come under its conſideration. By this means, as the electors are acquainted with the nature of the buſineſs that is to come before them, they have an opportunity to inſtruct their repreſentatives, as to the matters which they are to grant, or to refuſe.

The miniſters of the partitioning powers accordingly prepared a number of articles againſt the meeting of the grand council, which contained ſuch matters as they intended ſhould be particularly laid before the diet. The principal of theſe were, That the ſtates of the kingdom ſhould acknowledge, in the preſence of the King, that the rights claimed by theſe powers, to the provinces of which they had taken poſſeſſion, were reſpectively founded in juſtice; that when their pretenſions have been approved of, and confirmed in the diet, the new frontiers of the kingdom ſhall be regulated and confirmed for ever by the ſtates; that to render this purpoſe the more effectual, a map ſhould be taken of the country, in which the boundaries ſhall be exactly delineated, and then confirmed, as before, for ever; that as a farther ſecurity to the permanence of theſe arrangements, treaties ſhall be entered into with the other powers of Europe, for their confirmation; and that as the preceding conſtitution of Poland, occaſioned great prejudices to the kingdom itſelf, that the power of their kings was limited, and much diminiſhed, and that the diſorders occaſioned thereby, extended even to the neighbouring countries, it was neceſſary to make ſome conſiderable alterations in the conſtitution, the neceſſity and legality of which ſhould be acknowledged by the ſtates.

In the mean time, thoſe ſenators whoſe lands lay in the ſequeſtered provinces, were forbid to attend, or act in the ſenate; and as many more ſtaid away upon choice, who would have no ſhare in the preſent tranſactions; the whole number of that body that could be collected (which ſhou'd have been conſiderably more than a hundred) amounted only to about thirty. And leſt the King and the ſenate ſhould, for a moment, forget the miſery of their ſituation, and imagine they were met as free men, to debate upon the affairs of their country, memorials, full of reproaches and threats, were delivered by the miniſters of the allied powers, charging them with tergiverſation and delay, and appointing a limited day for the convocation of the diet, with denunciations of the ſevereſt vengeance in caſe of failure.

In the anſwer, Feb. 19. from the King and the ſenate, to theſe memorials, ſigned by the great officers of the kingdom [xxxv. 156.], much complaint is made of the extreme rigour and harſhneſs of their proceedings, which is aggravated ſtill more, by the extraordinary ſtyle, tone, and manner of the memorials, with the ſhameful neglect of all appearances of reſpect to the King and to the republic; they appeal to the neceſſity which urged their paſt condeſcenſions, and their preſent, to ſhew that their conduct could not deſerve the reproaches, nor demand the threats that are thrown out upon them: that the King, with the ſenate, having taken into conſideration the ſerious menaces and imminent dangers which have been announced in caſe of refuſal, he has yielded to the deſire of the three courts, and in conſequence appointed the 19th of April for the meeting of the diet. It is, laſtly, ſolemnly requeſted, that the allied powers will cauſe their troops to evacuate the

territories of the republic previous to the meeting of the dietines, in order that the elections and the diet may proceed with full liberty, and that the ſenſe of the nation may explain itſelf without conſtraint or danger.

No great buſineſs was done in the ſenatus conſilium, except appointing the time for the diet, returning the foregoing anſwer, making an application to Ruſſia for the enlargement of the Poliſh priſoners, who had been kept ſo long confined in that country, entering into a reſolution to proſecute the criminals who had made the attempt upon the King's life, and the making of ineffectual applications to the powers who were guarantees of the treaties of Oliva and Velau, for their good offices and mediation at the approaching diet.

As the partitioning powers had already cut off a conſiderable part of the ſenate, they took the ſame meaſures with reſpect to the diet, by prohibiting, under unlimited penalties, the dietines, or elections, from taking place in the new provinces. In thoſe parts of the kingdom where they were permitted to take place, great diſorders prevailed; and though letters were read from ſome of the biſhops, earneſtly intreating them, in the name of God, to forget their animoſities, to chuſe proper repreſentatives in the preſent critical ſituation, and to think only of ſaving their diſtreſſed country, the nobility were, notwithſtanding, divided into violent factions, much blood was ſhed in ſeveral places, and many of the dietines broke up fruitleſsly, without any election.

The Prince Czartoriſki, great chancellor of Lithuania, the primate of Poland, the chancellor of the kingdom, the grand marſhal, with many other of the nobility, repaired to Cracow, and diſclaimed all connection with the enſuing diet at Warſaw, which they repreſented as a packed convention, that was entirely in the hands and the power of that tyrannical triumvirate who had already ſpoiled and divided the kingdom. This body, which grew very conſiderable, both as to numbers and quality, earneſtly intreated the King to join them, for the purpoſe of aſſembling a free diet. But as that prince had neither the power, nor probably inclination, to come into their meaſures, the deſign came to nothing.

In the mean time, as a freſh memento of their condition, and to prevent any heſitation in the part they were to act, Benoit, the Pruſſian miniſter at Warſaw, delivered a declaration, in which it was hoped, that the diet would approve and ratify all that had hitherto paſſed with reſpect to Poland; but if it ſhould happen otherwiſe, his maſter would not only retract the promiſes he had made with reſpect to that kingdom, but would make the Polanders ſenſible, that he was not to be offended with impunity, and that as he could well do without either their approbation or ratification, they ſhould pay dear for their ill-timed obſtinacy.

During theſe tranſactions, and the ſubſequent ſitting of the diet, the countries round about Warſaw were filled with foreign troops, and the ſoldiers lived at little leſs than diſcretion. Indeed their licentiouſneſs was ſo intolerable, that it ſeemed as if their maſters wanted to urge the unhappy natives to ſuch a degree of deſperation, as might throw them headlong upon the points of their ſwords; or that at beſt they were determined to ruin the remaining country ſo effectually, as that it ſhould require the time and induſtry of ages for its recovery. However that may be, it does not appear, ſetting all motives of juſtice and humanity far out of the queſtion, that it was right policy in thoſe powers, to indulge, in ſo great a degree, the outrageous licence of their troops.

The inſtructions which the deputies received from their conſtituents, turned principally upon the preſervation and ſupport of the eſtabliſhed religion; the immediate departure of the foreign troops out of the country; to ſettle definitively the limits of the republic; to cauſe an effectual reformation of the militia; and to ſettle the differences with the three powers in ſuch a manner, as to remove every cauſe that could tend to a return of the troubles.

A great ferment appeared at the opening of the diet, April 19. and it was with the greateſt difficulty that any degree of order could be preſerved. Though the city was ſurrounded by lines of the foreign troops, in ſuch a manner, that no perſon could depart without leave, the deputies of Podolia and Volhinia had, notwithſtanding, the courage to deliver a manifeſto on the firſt day, by which they proteſted againſt every thing that ſhould be done in the diet. A confederacy was in the mean time formed, under the ſanction of the allied powers, to

which

which the King and the nobility were invited, or rather commanded, to accede. The principal object of this confederacy ſeems to have been, that they ſhould bind themſelves to ſupport and confirm all the concluſions of the diet; by which the ceſſion of the provinces that had been ſeized on by thoſe powers, was undoubtedly either expreſſed or underſtood.

The King himſelf ſigned this confederacy early, and was followed by Prince Czartoriſki, and ſeveral others of thoſe noblemen who had before aſſembled at Cracow, and declared themſelves in oppoſition to every thing that ſhould be tranſacted at this diet. As it is difficult to obtain a right knowledge of the ſtate and views of parties, even by thoſe who are immediately concerned in their tranſactions, and by their vicinity ſeem to have an opportunity of knowing all the cauſes that might operate upon them, it would be in vain to attempt forming any concluſions upon the conſiſtency or inconſiſtency which may appear in the conduct of the great Poliſh leaders. A few naked facts, unattended by any of their concurrent circumſtances, compoſe all the knowledge that can at preſent be gleaned up of the tranſactions in that country. We muſt only conceive a people, who have loſt all means of defence, overborne by power, and diſtracted by danger, flying from expedient to expedient, and graſping at every ſhadow, in hopes to evade a fate which ſeems to be inevitable.

A queſtion aroſe, upon the forming of this confederacy, as to the time of its duration, which was ſhortly decided by the Pruſſian miniſter, who declared that it muſt continue as long as circumſtances ſhould require. In the mean time, notwithſtanding the dangers with which they were environed, debates run very high in the diet; the new confederacy ſeems to have been very obnoxious, and the propoſed alterations in the form of government, were univerſally deteſted. To take away any falſe hopes that were founded upon foreign aſſiſtance, or even the mediation of their ancient allies and guarantees, the anſwers of the courts of France, England, Sweden, and the republic of the United Provinces, to the King's letters, in which they diſclaimed all interference in the affairs of Poland, were laid before the diet, and afterwards printed, for the information of the public.

The debates and oppoſition in the diet, excited the greateſt indignation in the miniſters of the allied powers. Several ſquadrons of Auſtrian and Pruſſian huſſars entered the city, and were quartered, from fifty to an hundred, in the houſes of the principal nobility: the people were, for three days, under all the apprehenſions and terror of an immediate pillage, and were continually employed in burying, or otherwiſe attempting to ſecrete their moſt valuable effects. Immenſe contributions, to the amount of 100,000 ducats each, were threatened to be levied upon the two princes, Czartoriſki and Lubomiriki, and ſome other of the principal grandees; proportional mulcts were propoſed to be laid upon others; and the city itſelf, with every perſon who had any ſhare or influence in public affairs, was devoted to immediate ruin.

In the mean time, the miniſters of the allied powers made a declaration to the King and to the diet, May 7. that they neither would wait for, nor accept of any mediation, nor admit any mitigation of the terms preſcribed; that the full ceſſion of the provinces which they claimed, according to the extent of the partition they had already made, muſt be determined upon and concluded within eight days; or that otherwiſe 30,000 men ſhould, at the end of that term, enter the city, and live at diſcretion in it; while every other effectual meaſure ſhould be taken, as well to puniſh their contumacy, as to carry all the deſigns of the reſpective powers into execution, without regard to their concurrence.

Such power, and ſuch menaces, ſeemed ſufficient to put an end to all debate, and to determine all counſel. It was, notwithſtanding, ſix days before the ceſſion was paſſed in the diet; and then, only by a very trifling majority, fifty of the nuncio's ſtill oppoſing it, to fifty-two who voted for it. It was carried through the ſenate by a ſomething greater majority, in proportion to its numbers; and the King put the laſt hand to a ratification, which cut off for ever more than one third of the dominions of the republic.

The conduct of the diet, without regard to their critical ſituation, or to the neceſſity by which they were actuated,

ſtruck the whole nation with conſternation and amazement. They did not think that any neceſſity could have induced them, to acknowledge for juſtice, the cruel ſpoiling of their country, and to render her wounds incurable, by not only lopping the limbs, but cutting away the vital parts. The biſhop of Kiow, ſeveral of the nobility, and ſome of the nuncio's, who had diſſented to the confederacy, and the acts of the diet, and had found means to eſcape from Warſaw, aſſembled at Cracow, where they publiſhed a manifeſto, in which they proteſted againſt all the acts of the diet, declaring them to be illegal, and contrary to the conſtitution and eſtabliſhed laws of Poland: and a great number of the nobility ſigned this manifeſto, and declared they would ſeal it with their beſt blood. Such proceedings are of little conſequence, and are only to be conſidered as the laſt pangs and convulſions of expiring liberty.

It might have been hoped, that as their right to the countries which they had ſeized, was now acknowledged, and their ceſſion completely ratified, that the partitioning powers would have attended only to their cultivation and ſettlement, and left the unhappy Poles at leiſure to do the ſame by the mangled remains of their country. This was, however, a degree of happineſs which it ſeems the latter were little to hope for. The facility with which the allied powers had gained ſuch extenſive countries, made it a matter of regret that they had not laid their claims for more, where they could be ſo eaſily obtained. It is true, that it would have been a matter of no difficulty, to form new claims upon as good a foundation as thoſe which they had already made; but it would not have been ſo eaſy to have agreed among themſelves as to the diſtribution. Till matters of that ſort could be adjuſted, it was neceſſary to keep the country in its preſent ſtate of diſorder.

Nothing could afford a more plauſible pretence for further interference, than the new-modelling of that government to whoſe faults they owed all their late acquiſitions. For this purpoſe, as the ſix weeks allotted for the ſitting of the diet were nearly expired, they were obliged to appoint delegates, whom they armed with their own powers, who were to continue their ſittings conſtantly, and in concert with the three foreign and united miniſters, to frame a new conſtitution and form of government. The delegates were alſo appointed to try and puniſh the aſſaſſins who were concerned in the attempt upon the King's life; to receive the ultimata of the three powers, and finally to ſettle the limits, and put the laſt hand to ſuch arrangements with reſpect to commerce and neighbourhood, as ſhould be concluded upon between them; and to conclude treaties of peace and perpetual amity with each of them ſeparately, which were to be guarantied and confirmed by the whole.

The great ſyſtem of legiſlation was, however, the rock upon which all contracts and treaties were likely to ſplit. No previous plan had been formed, nor ſcheme deſigned, for this arduous undertaking; and there was as little likelihood of the three great powers agreement as to its form, as there was of their conſiſtency in its conſtruction. One point they were probably all agreed in, which was, that the new conſtitution ſhould be of ſuch a nature, as would render it incapable of diſcharging its own functions, without their continual interference and aſſiſtance.

As nothing has been finally concluded with reſpect to the new government, and the preſent appearances are not favourable to the opinion that there ſoon will, it is of little conſequence to be particular as to the propoſals that are ſaid to have been made upon that head. In general, it ſeems to have been the intention, (if any thing of the ſort was really intended), that a nominal elective monarchy, with ſcarcely any power in the hands of the King, and ſome new reſtrictions on the qualifications of election, ſhould ſtill be continued; that no foreigner, nor no perſon within the fourth degree of conſanguinity to a late King, ſhould be capable of filling that office; that the eſtabliſhed religion ſhould be the Catholic, and the King always of that profeſſion; that the King ſhould not have the power of conferring either employments or honours: but that all power ſhould be lodged in the hands of a permanent council of ſtate, in which the King was to preſide with only a ſingle voice; and that this council was not to be reſtricted to the ſenate, but that others of the nobility were capable of compoſing it, as well as the ſenators.

It was alſo ſaid, that the troops of the republic were to be limited to 12,000; but

but that for her further ſecurity and happineſs, the allied powers were to afford her 5000 men from each, which ſhe was to keep in her territories at her own expence.

The ſeparate treaties of peace, alliance, guarantee, and partition, having been concluded between the delegation and the miniſters of the allied powers, were at length ratified by the King, Nov. 19. Theſe treaties, beſides an expreſs and definitive ceſſion of thoſe provinces which had been already given up in the diet, and profeſſions of unalterable amity, contained a mutual and irrevocable renunciation of all claims and pretenſions on each other. In the treaty concluded with the King of Pruſſia, the republic conſents to annull the ſixth article of the treaty of Velau, by which the reverſion of Ducal Pruſſia, in the failure of iſſue-male in the houſe of Brandenburg, was ſecured to Poland; and ſhe now gives up all Pruſſia, with its fiefs and dependencies, for ever, to the King, his heirs or ſucceſſors, whether male or female. A reſervation is, however, made in favour of Dantzick, with all its diſtricts, and the town of Thorn, with its ſuperiorities, to both which the King renounces all claims. And to prevent the poſſibility of all future claims and diſputes which might ariſe from thoſe articles of the treaty of Velau which quadrate not with the preſent ſtate of things, fifteen ſpecified articles of the ſaid treaty are totally aboliſhed, and the republic renounces for ever all reverſions and feudal obligations.

The diſtricts of Great Poland on the Brandenburg ſide of the river Netze, (called in the maps the *Notec*), together with the diſtricts of Lauenburg and Butow, and the right of redemption to the territory of Draheim, are alſo ceded in the ſame manner: and the treaty of Bydgoſt, which was executed in the year 1657, is annulled, excepting one ſtipulation which is in favour of the houſe of Brandenburg.

The moſt remarkable paſſage in this treaty, is in the article in which the republic undertakes to guarantee thoſe provinces which are ceded to the King, with an exception to one power, who is to be afterwards ſpecified, and with whom the republic is not obliged to maintain a war upon the King's account. The King of Pruſſia alſo engages, in concert with the other powers, to protect the republic from the reſentment of the Porte; and to uſe his mediation and good offices, that the Turks may conform to the terms of the pacific treaty of Carlowits, which, it is declared, has not been infringed by any of the late tranſactions.

The King of Pruſſia ſtipulates, on his ſide, for the protection and ſecurity of the Roman-Catholics in the new provinces, in all their civil and eccleſiaſtical rights and poſſeſſions, in the ſame manner as they had been under the former government: and he guarantees all thoſe future regulations which ſhall be concluded at Warſaw, by the miniſters of the three contracting powers, and the delegates of the diet, whether with reſpect to the form of government, or in favour of the diſſidents of the Greek and Evangelic communions; all which regulations are to be ratified in a ſeparate act, and conſidered as part of this treaty.

GERMANY.

THE affairs of Germany have not been very intereſting, except ſo far as they have been connected with thoſe of Poland, or may be ſuppoſed to have ſome influence on the conduct of the war. The continued augmentation of thoſe immenſe armies, which muſt, in the nature of things, either give or overthrow all laws in that empire, is now become ſo familiar, as no longer to excite alarm, or even ſurpriſe. This paſſion or rage for the converting of all mankind into ſoldiers, has ſo equally poſſeſſed the two great Germanic powers, that neither of them could, in that reſpect, pretend to ſnatch the palm of honour, without evident injuſtice to the other.

If we can credit the accounts that have been publiſhed, the Emperor has this year drawn 80,000 recruits from his hereditary dominions, of which Hungary only, yielded 50,000, beſides thoſe that were raiſed in the new Poliſh territories, which have now obtained the fanciful appellation of the kingdoms of *Galicia* and *Lodomeria*. Thus this prince is nearly at the conſtant expence of a war, while he undergoes all the perſonal fatigues that the moſt active general could, in that ſituation; his armies forming continual and remote encampments along his wide-extended frontiers, and he as conſtantly on horſeback, either in the act of travelling between, or of immediately ſuperintending them. It was computed,

puted, that in the tour he made this ſummer, he travelled on horſeback above 700 German miles, which are conſiderably more than equal to 3000 Engliſh. In this tour, he only eat once in the twenty-four hours, which was on the evening of each day, and that of ſuch fare as, without any preparation, happened to be ready at the places where he ſtopped; after which he lay upon a ſtraw bed, without any other covering than his cloak; as if he emulated Charles XII. of Sweden, and intended to form ſuch another iron conſtitution; whilſt he carefully imitates the political character of the King of Pruſſia.

The Emperor ſpent a conſiderable time at Lemburg, or Leopol, (the metropolis of the province that was anciently called *Red Ruſſia*, as it is now of all the new Auſtrian dominions), which was equally convenient for attending to the government and ſettlement of his new ſubjects, to the conduct of the great armies which he poured into Poland, and to the tranſactions which were to take place at Warſaw. As the King of Pruſſia and his brother ſet out for Sileſia, about the ſame time that the Emperor did on his tour, it was imagined that another conference would have been held between them, which might perhaps in its effects have been deciſive of the future fate of ſome other countries; it does not, however, appear, that any meeting took place between thoſe princes.

However ambitious the deſigns of this prince might be, or have already ſhewn themſelves, he ſtill continues, by the ſimplicity of his manners, his attention to buſineſs, and his affability, to confirm the affections of his ſubjects in a very high degree.

As this æra ſeems particularly fatal to the aſſumed powers of the court of Rome, it could not be expected that a prince of the Emperor's character ſhould overlook any of thoſe that militated with his own internal rights. He has accordingly claimed the inveſtiture of all the biſhopricks in his hereditary dominions, and has already proceeded to the exerciſe of this right, by appointing the biſhops that are to ſucceed in four or five ſees that became vacant in Bohemia and Hungary. This innovation has occaſioned great trouble at the court of Rome, where the example, with reſpect to other Roman-Catholic powers, is conſidered as dangerous, as the meaſure is in itſelf prejudicial to its intereſts. The Pope has accordingly uſed every means, and is ſaid to have offered to make great conceſſions, to prevent the Emperor from perſevering in a reſolution that ſtrikes ſo fatally at the baſis of Papal power. It is, however, ſaid, that all conceſſions and applications upon this head, have proved ineffectual, and that the Emperor continues immoveably fixed in his determination.

The calamities that have been occaſioned by the dearth in Bohemia, and ſome other of the hereditary countries, exceed all deſcription. In the former, particularly, gold and ſilver are ſaid in a great meaſure to have loſt their uſual effect, and to become almoſt incapable of procuring food of any ſort; ſo that the rich and the poor were ſinking equally under one general calamity. We have before obſerved, that the ravages made during the preceding year in that kingdom, by ſickneſs, were dreadful. It appears, that in the firſt eight months of the year 1772, the deaths in that kingdom amounted to 168,331, which more than doubled the number of births in the ſame ſpace of time; and it was ſuppoſed that the deaths during the laſt four months, were in full proportion to thoſe of the preceding. And though the fury of the diſtempers ſeemed conſiderably exhauſted ſoon after the opening of the preſent year, they were not entirely abated, until the late harveſt (notwithſtanding the moſt extraordinary tempeſts, and unheard-of devaſtations by field-mice), brought food and health at the ſame time to the diſtreſſed people.

To prevent, ſo far as human foreſight may do, the return of ſo dreadful a calamity, has been an object of conſideration with the Emperor. To this purpoſe, he has propoſed to the ſtates of Bohemia, to abridge one third of the ſtatute-work which the peaſants are obliged to perform for their lords, and which hitherto was ſo great, and took up ſo much of their time, and they were rendered utterly incapable of cultivating their own farms to any advantage. This humane and neceſſary meaſure has, however, been ſtrongly oppoſed by the great lords; but as the Emperor perſeveres in his intention, there is no doubt of his ſucceeding, as thoſe matters which would prove impracticable to other princes, ceaſe to be difficulties with thoſe that are beloved by their ſubjects.

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The further politics of the court of Berlin are, as uſual, ſtill ſecret. With reſpect to his military preparations, the King has not ſhewn leſs aſſiduity than his younger, though not more active neighbour. He has accordingly found means, with very little additional expence, to ſtrengthen his armies, by an increaſe of between 40 and 50,000 effective men, which he has done, by increaſing the companies of foot from 169, their former complement, to 210 men each, without the addition of a ſingle officer in ſo great an augmentation. He has alſo made an alteration (which, however trifling it may ſeem, will, it is ſaid, be of great conſequence) in the ram-rods of his ſoldiers muſkets; which, in conſequence of this regulation, are made exactly alike at both ends, whereby the ſoldier will ſave the time which he before loſt, by turning the ram-rod in charging: and it is ſaid, that by this improvement, together with that of a new exerciſe, and manœuvres in firing, in which they have been laboriouſly inſtructed, the ſoldiers are arrived at ſuch perfection, as to fire twice as often now, in a given time, as they could before, though they were then reckoned the quickeſt at firing of any troops in the world.

The preſſing of men for the army, has been carried on with as much aſſiduity throughout the Pruſſian dominions, as it could have been in the hotteſt war, ſo that even ſtrangers have not been exempted from it. The new acquiſitions have been particularly drained of their able men, who are ſent into garriſon till they become perfect in their new occupation, while the veteran troops are drawn out to be ready for immediate ſervice. Thus a double purpoſe is anſwered; and as the old army is ſtrengthened by the addition of a new one, thoſe provinces are proportionally weakened; ſo that if a war ſhould take place, they are rendered incapable of doing any thing effectual towards the recovery of their liberties. The King is ſaid to have framed a new regulation, by which one half of the ſoldiers are, by an alternate ſucceſſion, to be conſtantly employed, during peace, in agriculture and manufactures, while the others as cloſely attend to their military duties. Though this regulation carries a ſpecious appearance, it may be doubted, whether it will be productive of any very extraordinary advantages to agriculture, as the precarioufneſs of the aſſiſtance will always throw a damp upon the ſpirit of the farmer.

The Weſtern Pruſſia is already brought under the ſame military government with the reſt of the King's dominions, the whole of which may be conſidered as a vaſt encampment, of which Berlin compoſes the head-quarters. Complete liſts have been made out, of all the cities, towns, and villages, in the new acquiſitions; of the houſes and poſſeſſions, the number of inhabitants of all ages in each, and their reſpective occupations. All the males of a certain age, that have not been taken to ſupply the army, are inrolled in the militia, have received an uniform, and are obliged to learn their military exerciſes. It is alſo ſaid, that every male child, when born, receives a military collar, and ten dollars, by which he is ever after conſidered as a ſoldier immediately in the King's ſervice, and thereby liable to all the rigour of the military laws. This account, however, requires a degree of confirmation which it has not yet received; as one of the firſt, and moſt popular acts of the preſent King's reign was, the taking off that ſhameful badge of ſlavery from the necks of ſeveral thouſand children, on whom it had been impoſed by his father. [xix. 674, 7.]

The Biſhop of Warmia in Royal Pruſſia, is a Prince of the Empire, and was, by the ancient conſtitution, preſident of the kingdom, and poſſeſſed, under the Kings of Poland, little leſs than entire ſovereignty in his dioceſe, the nobility being immediately dependent upon him, and exempted from all the royal juriſdictions. The people accordingly flattered themſelves, that though they had changed their paramount lord, they would in a certain degree eſcape the fate of the reſt of the kingdom, and ſtill continue under the immediate government of their biſhop. Such an independence in any part of his dominions, was little ſuited to the views and diſpoſition of the King of Pruſſia: he accordingly ſtripped the biſhop of all his temporal and juridical rights, and put the people upon the ſame footing, as to government, with the reſt of their countrymen.

All buſineſs of almoſt every ſort had, for time immemorial, been carried on in Poland by the Jews. Excluſive of thoſe occupations of merchandiſing, brokerage, and money-dealing, which are com-

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mon to them in other countries, they here ſuperintended the noblemens families, were their agents, factors, and managers of their eſtates, and the phyſicians, ſurgeons, apothecaries, inn-keepers, dealers, and tradeſmen of the country. By this means they formed a very great and conſiderable part of the nation; and though the induſtry (ariſing from their freedom) of the natives of Pruſſia, rendered them leſs neceſſary in that country, they were even there very numerous. The King of Pruſſia, however, whether from a particular diſlike to this part of his new ſubjects, or with a view to obtain great ſums of money from them, and perhaps alſo to acquire ſome knowledge of the extent of their riches, publiſhed an edict, by which all thoſe Jews in the new acquiſitions, who were not poſſeſſed of a capital of 1000 crowns, were peremptorily commanded to quit the country within a limited time. This ſevere proſcription, which broke through all the ties of blood, connection, acquired habits, and country, occaſioned a deputation of twelve elders of the Poliſh ſynagogues, to intercede with the King for their unfortunate brethren; in conſequence of which application, accompanied with a preſent of 70,000 crowns, he remitted ſome part of the ſeverity of the edict, by reducing the qualification for living in the country to 500 crowns, and enlarging, in certain caſes, the term limited for their departure.

Another edict was iſſued, by which all religious bodies, of whatever profeſſion, and the governors of hoſpitals and public charities, were obliged to ſend in an exact account of their reſpective incomes, to the royal chamber at Marienwerder. By a third ordinance, all perſons were forbid, whether in town or country, to diſmiſs any of their men-ſervants, without firſt giving notice to the King's commiſſaries, and obtaining their licence for ſo doing. Theſe are ſome of the effects which every order of the people have already experienced from the change of government.

The King's conduct with reſpect to Dantzick, has been extremely various. The fate of that city is ſtill ſo uncertain, that a detail of the proceedings relative to it, would be as uſeleſs as void of entertainment. At different times, the application of the maritime powers, and of the Ruſſian miniſter, ſeemed to have operated in favour of the city; and ſuddenly after, without any apparent cauſe, the ſame violence and threats have again taken place; the tolls, exciſes, and port-duties, have been ſuſpended, renewed, taken off, and laid on; and every later account, teemed with new meaſures or regulations which overthrew the former.

It appears, that the Ruſſian miniſter, who acted the part of a mediator, has ſupported the King's claim to a part of the harbour, which in effect gives him the command of the whole. This claim is founded upon the territorial rights of the abbey of Oliva; which, though they had generally lain dormant for ſeveral centuries, and the city had the free occupancy of the channel in queſtion, from which only its value aroſe, yet theſe rights were at certain times claimed, and, about half a century ago, became ſo much an object of litigation, as to lay the foundation for a law-ſuit, which was commenced with the city of Dantzick at Warſaw, but which was never decided.

Upon the ratification of the treaty of ceſſion at Warſaw, by which the King gave up his claims on Dantzick, except his rights to the harbour, which he ſtill retained, he withdrew his troops from the three ſuburbs of Schiedlits, Stolzenburg, and Schotland, which he had before fortified, and declared royal towns, as well as from the other poſts they occupied in the neighbourhood of the city, only inſiſting upon being repaid a large ſum of money which he had laid out in the fortifications, and to engineers, together with ſome other demands, and being for the future acknowledged as the protector of Dantzick. Some tranſactions, however, which have taken place ſince the cloſe of the year, ſhew, that this unfortunate city is ſtill in as precarious a ſituation as it had been before, and that the only certainty it has left, is the loſs of its liberties, and of its ancient power and ſplendor.

The conduct of the Pruſſians with reſpect to Thorn, bears ſo great a ſimilitude to that which they obſerved at Dantzick, as to make it needleſs to enter into the particulars. Too much, however, cannot be ſaid in praiſe of that virtue, fortitude, and unconquerable perſeverance, with which the magiſtrates and inhabitants have, under a blockade of two years, withſtood all the violences of rapine, and the menaces of power, and ſhewed themſelves equally proof againſt

gainſt want, temptation, and danger; who have had repeatedly the hardineſs to declare, when apparently ſurrounded by inevitable deſtruction, that they knew of no ſovereign but their lawful prince, and that, in the laſt extremity, they would freely part with their lives, ſooner than reſign their liberties into the hands of unjuſt power. By this noble and determined reſolution they have hitherto preſerved them.

While the Jeſuits have ſunk under the vengeance of the Roman Catholic powers, and the Pope himſelf has put the finiſhing hand to their deſtruction, the King of Pruſſia affords them that aſylum and protection which they are denied in all other countries. It would be of little conſequence to refine upon the motives or policy of this conduct; the King himſelf, in a letter to his agent at Rome, accounts for it, by obſerving, that by the treaty of Breſlau, he had guarantied the religion in the ſtate it then was; that he had never met with better prieſts than the Jeſuits; and that he might inform the Pope, that as he was of the claſs of hereticks, he could not grant him a diſpenſation for breaking his word, nor for deviating from the duty of an honeſt man, or a king. As the Jeſuits are poſſeſſed of ſeveral conſiderable colleges in Sileſia, it remains to be ſeen, whether they will pay obedience to the Pope's bull, under the protection of a Proteſtant prince.

DENMARK.

THE late revolution in Denmark, has not been productive of any particular change in the internal government, or public conduct, of that country. Some ſeverities to printers, and ſome harſh orders againſt the people's aſſembling, and meeting in any conſiderable numbers, ſeemed rather to ſhew a weakneſs in government, than any real cauſe for ſuch ſuſpicious proceedings, which ſhould only be practiſed in caſes of the greateſt danger and neceſſity. The Sieur Thura, having written a piece, intitled, *The Prognoſticators*, which reflected ſeverely on the authors of the late revolution, was condemned by the high tribunal, to ſuffer the ſame puniſhment which Struenſee and Brandt had already undergone.

The dangers which were apprehended from abroad, may be ſuppoſed to have had ſome ſhare in promoting the internal quiet. It is certain, that the ſtate of affairs in Sweden, and the motions made on the ſide of Norway, in the beginning of the year, were not a little alarming to the court of Copenhagen. The garriſons in that country, notwithſtanding the ſeverity of the climate, were accordingly repaired and reinforced in the depth of the winter, and the troops were every-where augmented, and put in the beſt condition. The ſame diligence was uſed in equipping a conſiderable fleet, and in preſſing and raiſing 6000 additional ſailors; for which purpoſe, all thoſe in foreign ſervice were recalled, and ſuch other meaſures purſued, that ſoon after the opening of the Baltic, twelve ſhips of the line were fit for immediate ſervice.

The treaty with Ruſſia, by which Denmark has obtained the excluſive ſovereignty of the duchies of Sleſwic and Holſtein, and thereby becomes miſtreſs of the whole Cimbric Cherſoneſe, may be conſidered as the moſt fortunate and advantageous that ſhe ever concluded. Beſides the getting rid of a dangerous neighbour, where the joint and mixed ſovereignty would afford eternal matter for debate and contention, and in a great meaſure prevent all improvement on either ſide, ſhe has now, by the poſſeſſion of the whole peninſula, rounded and completed her territories; while its ſituation gives it nearly the ſtrength, and all the commercial advantages, of an iſland, and its excellent ſoil furniſhes all the means for becoming a rich, populous, and powerful country. If theſe advantages were proſecuted with a reaſonable ſhare of good conduct, and had time to arrive at maturity, under the beneficence of a mild and equitable government, they would cauſe a conſiderable revolution in the commercial ſyſtem of that part of Germany; and Kiel might become a more than formidable rival to its great trading neighbours of Hamburg and Lubeck.

As the faſhionable cuſtom of maintaining greater armies than they can afford, and the attempts, beſides, at eſtabliſhing a marine, keep moſt of the European princes in a conſtant ſtate of poverty, they are frequently obliged, upon any emergency productive of an additional expence, to recur to every expedient for the raiſing of money. The King of Denmark accordingly, this year, ſent three commiſſioners, as a deputation, to the city of Lubeck, to negotiate a loan

of 150,000l. Sterling, for twenty years, with the merchants of that place; for which he was willing to pay intereſt at the rate of ſix per cent. with the farther ſtipulation on his ſide, of defending the rights of the city from all incroachments and foreign pretenſions. This application was not attended with ſucceſs; the magiſtracy, after a long conſultation, returned for anſwer, that it was impoſſible for them at the preſent time to comply with the King's requiſition of the loan; that they thanked him for his protection, but apprehended they were not at preſent in any particular need of it.

SWEDEN.

WE have already obſerved, that the motions and preparations which were made in Sweden, had conſiderably alarmed more than one of its neighbours. And though the ſtale pretences of good-will, pacific intentions, and attending only to ſecurity, were frequently repeated, it is evident they did not remove thoſe apprehenſions. Whatever the King's deſigns were, it is probable that the new treaty between Ruſſia and Denmark did not a little contribute to prevent them from ripening into action; and it is poſſible that the ſame cauſe, co-operating with the inaptitude of ſome of his allies, may occaſion their being entirely laid aſide.

In other matters, the wiſdom and moderation of the preſent King, prevent the people from finding any preſent inconveniencies through the late change of government. The firſt ſteps of a new and arbitrary government, are generally popular. Its true character rarely appears, until the people have forgot the bleſſings they enjoyed in a ſtate of freedom.

Neither kings nor laws can prevent, at certain times, thoſe calamities with which it pleaſes Providence to afflict nations; and the dearth this year in Sweden, notwithſtanding the vigorous meaſures taken by a new adminiſtration and government, to remedy or allay the evil, ſufficiently exculpated the late ſenate from the odium that was thrown upon them on that account. In ſeveral of the provinces, the miſeries of the people were dreadful; and in Dalecarlia and Wermeland particularly, after having a long time endeavoured to ſupport life by the bark of trees, and the moſt unuſual and unclean kinds of food, they at length periſhed in ſuch numbers, that the dead bodies lay unburied in the woods and houſes. The dyſentery, the uſual attendant or ſucceſſor of famine, raged afterwards with the greateſt fury, and completed the deſolation of thoſe unfortunate provinces; ſo that it was computed, that more people had been ſwept off, from the firſt in particular, during this and the preceding year, than by that dreadful plague which made ſuch havock in the kingdom in the year 1709. The relief brought by the harveſt, afforded a ſtriking and melancholy inſtance of this depopulation, the wretched remains of the inhabitants being totally incapable of getting it in, and forced to offer half their crops to ſuch ſtrangers as they could procure to do it for them. The King ſent phyſicians from Stockholm with medicines, at the public expence, to endeavour to reſtrain the ravages of this cruel diſorder; but till Providence granted the people food, medicine was of little avail.

The King having made a tour through his dominions, in this time of general calamity, beſides the primary objects of inſpecting into the ſtate of the forts and garriſons, and the condition of the army, omitted no means to alleviate thoſe diſtreſſes, which it was not in his power to remedy. And finding afterwards, that public rejoicings were intended, to celebrate his return to Stockholm, he wrote a letter to his brother, to be communicated to the magiſtrates, in which he expreſſed his ſenſibility of the zeal and affection which they intended to teſtify to his perſon, of both which he was ſufficiently ſatisfied, and wiſhed they would diſpoſe of the money which was deſtined for that purpoſe, to the relief of the diſtreſſed poor in the provinces, of whoſe unſpeakable miſeries he had been ſo lately an eye-witneſs.

In the mean time he was indefatigable in ſtrengthening and fortifying the kingdom, as well as the Swediſh iſlands in the Baltic: and the excellent condition and forwardneſs of the fleet and army, were a matter of admiration to thoſe who conſidered the extreme ſcarcity and dearneſs of all kinds of proviſions. The motions of the troops were ſo various, and the preparations carried on in ſuch remote and different parts, that the intentions of the court were impenetrable to thoſe who were immediately concerned in the event. Norway was thought

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to be particularly threatened, and ſuch preparations were made in the ſea-ports of the Baltic, as indicated a ſpeedy and conſiderable embarkation; while at the ſame time the motions on the ſide of Ruſſia were equally ambiguous and alarming. All the ancient treaties between Sweden and the Porte were alſo renewed and confirmed, and particularly the mutual guarantee-treaty of the year 1739, with the addition of ſome new articles.

The peaſants in Finland having vainly flattered themſelves, that the late revolution had emancipated them from the ancient ſubjection and ſervices which they owed to their lords, loſt no time in enjoying their ſuppoſed independence, which occaſioned ſome trouble, and their ſending a deputation to court, in ſupport of this new-claimed liberty. They, however, found, to their great regret, that their condition was not at all altered, and that the King was much diſpleaſed at their conduct; in conſequence of which, an ordinance was immediately publiſhed, to prevent all ſuch miſtakes for the future.

The moſt judicious meaſures were taken by the King and his council, and by the directors of the bank under his immediate influence, to prevent the fatal conſequences of thoſe commercial failures, which had extended their influence throughout Europe. The King applied perſonally to the merchants and directors, exhorting them to lend all their aid to the ſupport of public credit in this preſſing exigency; and declared publicly, that if any one ſhould take advantage of the times, to raiſe the exchange, or the intereſt of money, ſuch perſon ſhould, in the higheſt degree, incur the royal diſpleaſure. The wiſdom of this particular meaſure may be doubted: but on the whole, ſuch order was taken, that credit was fully ſupported, and the bank not only lent money to thoſe merchants who were known to be ſolvent, but to all who could give ſecurities of any ſort, whether in lands, houſes, ſhips, goods, or merchandiſe. And the effects of this conduct were ſo happy, that it is ſaid, there was not, during that period, a ſingle Swediſh bill proteſted.

The King is not leſs attentive to every other matter relative to commerce; and has declared, that he will ſpare no pains to make it flouriſh in the higheſt degree that the country is capable of admitting. He accordingly allots a certain portion of every week, to grant audience to all perſons without exception, who chuſe to apply, or have any thing to communicate to him upon mercantile affairs, whom he hears with the greateſt attention and patience, and thoroughly examines their buſineſs or propoſals. As an eſſay towards remedying, in ſome degree, the late fatal depopulation, this prince iſſued an ordinance, by which all peaſants who have four children, or more, are excuſed from the payment of the poll-tax, and all other perſonal contributions.

The Count de Hopken, a nobleman of great worth and honour, who had ſome years reſigned his office and dignity of ſenator, to retire from all public buſineſs, was lately recalled by the King, to preſide at the head of the ſenate. In a letter which the King wrote to him upon this occaſion, and which did as much honour to the writer as to the perſon to whom it was written, he ſays, that he calls upon him to ſerve him as a counſellor and conductor; and that if he knew another man in the kingdom of more underſtanding and virtue than himſelf, he would ſtill leave him to enjoy his retirement; but that where the Almighty beſtowed great talents, he deſigned they ſhould be employed for the public-good. He ſaid, "I have now done my duty; do yours. I was willing to demonſtrate to my country, and to all Europe, that I wiſh for no other ſplendor on my throne but that of virtue." He concluded by a declaration, that if he did not acquieſce in his requeſt, and that of his people, he would be reſponſible for it to his country, and to poſterity. Such ſentiments, and ſuch conduct, were worthy of a monarch.

The Miser's Legacy.

PAullino, finding himſelf bowed down with age, and ready to ſink into the grave, condeſcends to make his will.—"I give and bequeath" ſays he—and at the word *bequeath* he ſighs—"I give and bequeath all my eſtates unto my ſon Charles."—*And your caſh, Sir?*—"My caſh!—What that too?—Well, my caſh, ſince it muſt be ſo, I give and bequeath unto my ſon Henry:" and a tear dropped down.—*Then, Sir, your houſe, your furniture, your*—"Hold, my friend, hold!—My houſe, my furniture, I cannot diſpoſe of!"—Paullino would have added his reaſons for it; but it was too late.—Already was his breath gone,—already was he in the land of ſpirits.

AMERICAN PAPERS, &c. [512.]

According to letters of Sept 2. received by the Scarborough man of war, which arrived at Spithead, Sept. 30. in twenty-four days from Boston, the Governor's company of cadets, conſiſting wholly of gentlemen of the town, and who are moſtly on the ſide of government, diſbanded themſelves, and returned to Gen. Gage the ſtandard which on his arrival there he, according to cuſtom, had preſented them with. This was done upon the General's taking away Mr Hancock's commiſſion as colonel of the company. Gov. Gage ſhewed himſelf to be much out of temper when the colours were returned, alledging, that Col. Hancock had uſed him ill.

"*Boſton, Sept. 5.* Laſt Thurſday evening, in ſeveral different free ſocieties were ſuſpended, Capt. John Gore, Mr Henry Liddel, Mr Edward Cox, Mr James Alloy, Mr William Burton, Mr William M'Alpine, and Mr Wilſon, for ſigning an addreſs to the late Gov. Hutchinſon." [287.]

"*Boſton, Sept. 1.* The following is an authentic copy of a letter which was thrown into both the camps, on Monday night laſt.

"To the officers and ſoldiers of his Majeſty's troops at Boſton.

It being more than probable that the King's ſtandard will ſoon be erected, from rebellion breaking out in this province, it is proper that you ſoldiers ſhould be acquainted with the authors thereof, and of all the miſery and diſtreſs brought upon the province. The following is a liſt of them. [Here were inſerted the names of ſeveral perſons who have diſtinguiſhed themſelves in the oppoſition to the meaſures of government.] The friends of your King and Country, and of America, hope, and expect it from you ſoldiers, the inſtant rebellion happens, that you will put the above perſons immediately to the ſword, deſtroy their houſes, and plunder their effects. It is juſt that they ſhould be the firſt victims to the miſchiefs they have brought upon us.

A Friend to Great Britain and America."

"*London, Oct. 4.* According to accounts from America, the ſoldiers are kept in the moſt exact diſcipline by General Gage, but the malignant diſpoſition of the people ſhews itſelf on every occaſion. The centries are, under the ſhade of night, attacked on their poſts with all ſorts of miſſile weapons. Fire-arms are not uſed, as the flaſh would diſcover from whence the attack came. —— Lt-Col. Maddiſon has publicly advertiſed a reward of twenty guineas for the diſcovery of a perſon, who, at peep of day, ſhot an arrow of a very peculiar conſtruction, at one of the centinels on duty at the camp in the common.

Letters from Boſton mention, that one of their committee of correſpondence for exciting rebellion on the continent, lately took it into his head to viſit the camp on the common, and lounge about amongſt the tents. Unluckily for him he was known by ſome of the ſoldiers as a very active perſon in ſtirring up the populace againſt them. The inſtant he was diſcovered, he was huſſled about pretty roughly; after which they began to ſtrip him, as they ſaid, to give him a relish of his own diſcipline of tarring and feathering. The uproar this occaſioned, immediately drew together ſome of the officers; who reſcued the trembling committee-man, ſeverely reprimanded the ſoldiers, and ſent Yanky Doodle out of camp under the care of a ſerjeant and ſome of the ſoldiers on guard. At parting, the ſoldiers aſſured him, very politely, that though they had been prevented this time from paying him the tarring and-feathering compliment, yet at any time when he ſhould chuſe to return, they ſhould moſt chearfully perform upon him that intended favour.

The very bad effects of the judges of the courts of law being choſen and paid by the people, continue to be felt more and more every day in New England. A merchant in Boſton, to whom many traders in Connecticut were conſiderably indebted, thought proper, as his cuſtomers were very backward in their payments, to pay them a viſit, in order to collect his money. No ſooner was his buſineſs known at the firſt town he ſtopped at in Connecticut, than the bells were rung, and a mob convened, a committee from which came into the houſe where he lodged, while the multitude ſurrounded it, and deſired him to retire immediately out of town if he valued his ſafety; for that he was an obnoxious perſon, and an enemy to the colony. In vain he repreſented to them, that he came upon urgent buſineſs, that he was their friend, that he had given a great deal of credit among them, and that he had only come for payment, which had been long due.

All was to no purpoſe: reaſon and juſtice had no effect upon them: he was their enemy; he was in a plot to ruin their liberties, and was a traitor to his country. In ſhort, after being very ill uſed, and after a conteſt, which laſted an evening, beſt part of a night, and a morning, he was driven out of town without one farthing of his money; men, women, and children following and hooting at his heels. To render his journey abortive every where, expreſſes were diſpatched to the neighbouring towns, with intimation of their intrepid conduct. This intelligence got before him to the next town: on his arrival, the whole place was in commotion: on this he took ſhelter with a judge of the ſuperior court, and begged his advice and protection: but the judge being choſen and paid by the people, would neither give him advice nor protection: and this merchant, who had the aſſurance to aſk for his debts in Connecticut, was well beaten by a whole town, then put by force into his carriage, the horſes of which were ſet a-running, by all the ſons of freedom near a mile out of town, driving him along, and all the time ſaluting him with ſhowers of ſtones, filth, billets of wood, and the moſt inſulting and opprobrious language. ——In Rhode-Iſland colony, Mr Rome, a merchant from London, was put into jail for writing to a friend, "that the Rhode Iſland merchants refuſed to pay him 76,000 l. Sterling due to him; and that when he ſued them in the colony-courts, the judges always gave a verdict in favour of the debtor; for the judges were choſen by the people, and never gave a deciſion againſt their electors." The colony of Connecticut, it appears, underſtands how to act in reſpect to their creditors, as well as their neighbours. No wonder that the people at Boſton impeached their Chief Juſtice, Mr Oliver, for accepting a ſalary from the crown; for when he was under their direction, it was in their power to give him no ſalary unleſs he gave judgement according to their pleaſure."

"*Boſton, Aug.* 4. Thurſday, July 21. was obſerved as a day of faſting and prayer throughout this province, on account of the melancholy ſituation of our public affairs. It ought to be noticed, to the honour of the gentlemen of the army and navy, that ſcarce a ſoldier or ſailor was ſeen walking the ſtreets of this metropolis on that day."

"*New London, July* 29. Our Governor, with the advice of the council, has appointed Wedneſday the 31ſt of Auguſt next to be obſerved as a day of faſting and prayer throughout this colony, on account of the gloomy aſpect of public affairs."

"*London, Sept.* 26. At a chapel at the weſt end of the town yeſterday, the preacher, in his prayer, mentioned the Americans, praying that God would awaken them to a ſenſe of religion, and that they might (after the example of their forefathers, who carried their lives in their hands) be ſtrengthened in ſupporting their privileges as men, and as free-born Britons, approving themſelves the poſterity of ſuch who fought liberty in that then wild deſert, rather than ſubmit to ſlavery at home."

"*From on board the ſquadron off Boſton, Sept.* 2. New England holds out moſt obſtinately, notwithſtanding hundreds are already ruined, and thouſands half-ſtarved. Some of the clergy are continually in their ſermons ſtirring up the people to reſiſtance; an inſtance of which lately happened in this neighbourhood, where the miniſter, to get his hearers to ſign ſome inflammatory papers, advanced, that the ſigning them was a material circumſtance to their ſalvation; on which they flew to the pen with an eagerneſs that ſufficiently teſtified their belief in their paſtor. Several attempts have been made, by ſhooting arrows, and balls from air-guns, at the centinels, to provoke the troops to blows."

"*From a letter from Boſton, brought by Capt. Lyde, who arrived at London about the middle of November.* The diſtreſs occaſioned to the town by that indiſcriminating act, which, by ſhutting up the port of Boſton, involves the innocent equally with the guilty, ſeems to be entirely abſorbed by what is thought a greater evil, the act for regulating, or rather altering, the conſtitution and government of the province, regardleſs of the long-enjoyed charter-privileges. As this affects the whole province, and deprives them of what they hold moſt dear, the temper of the people is raiſed to the higheſt pitch of enthuſiaſm, and their behaviour borders upon diſtraction.

The town being guarded by five regiments, (three on the Common, one on

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Foot-hill, and one on the Neck), is become the aſylum of all the country-gentlemen who are ſuſpected of Toryiſm, or who are the friends of government. The new counſellors who have not reſigned their places, all the late Governor's addreſſors [287.] who have not recanted, and all who hold any office in government, are obliged to flee to Boſton for ſhelter from the fury of an enraged multitude, who ſeem to have laid aſide or loſt their uſual civility and humanity.

Gen. Gage has erected a battery at the entrance into Boſton; which has given great uneaſineſs; but it appears to be neceſſary, to guard the troops, and the obnoxious people here, againſt an attack from the country, which they might be deſperate enough to attempt.

The people in Connecticut province have eſpouſed the cauſe with more warmth than in this, and are determined to purge their colony of all Tories. To that end they have, after committing other outrageous acts, attacked the Epiſcopal clergy, and treated them with great indecency. Mr Peters, of Hebron, has had his houſe beſet, and his private papers ſeized, and his perſon groſsly inſulted. One Mr Nicolls, an Epiſcopal clergyman there, in going to a convention, was obliged to ſubmit to the rudeneſs of two mobs, who at length forced them to break up the meeting, and diſperſe. It will next come to the turn of the Epiſcopal clergy in this province, if the troops ſhould be withdrawn. In that caſe it is expected the church of England would be wholly extirpated, and her clergy baniſhed. In ſhort, I dread the conſequences, either if parliament ſhould perſiſt to enforce its authority, and oblige us to ſubmit, as a civil war would then be inevitable, ſo thoroughly raiſed is the ſpirit of the people; or ſhould government recede, we muſt ever after be ſubject to the multitude, and have no kind of government. This province and New Hampſhire are determined to have no judges with ſalaries from home; and ſuch is the ſtate of affairs in general, that you may ſoon expect to ſee a number of your principal Boſton people arrive in England, in order to avoid the dreadful ſcenes expected to take place here before matters are ſettled. All our courts of juſtice are ſhut up, and all law-proceedings ſtopped throughout the province, by order of the people, and all property as uncertain and precarious as if it was floating on the ſeas."

"*London, Oct.* 29. By a letter from Boſton we learn, that a certain general, who had been diſguſted at the treatment he had met with at the court of London, has joined the people at Boſton. He had ſet out for the congreſs at Philadelphia, it was thought, with an intention to get himſelf put at the head of the Boſtonians."

"*Boſton, Sept.* 8. Laſt Friday morning one Valentine Ducket, a deſerter from the 65th regiment, now at Halifax, was ſhot in the rear of the camp in the common, purſuant to the ſentence of a court-martial." [452.]

"*New York, Sept.* 29. A paper printed at Norwich in Connecticut, contains the following propoſal. "Since the grand American controverſy grows, and daily appears more and more ſerious, whether it is not expedient, very important, and neceſſary, for the colonies, forthwith to raiſe an army of obſervation, and ſend it near the expected ſcene of action; and let them be increaſed from time to time, as our enemies increaſe, and kept in conſtant exerciſe and diſcipline. A preparation and readineſs for the defenſive or offenſive operations may, and often has, prevented the neceſſity of execution; but if neceſſity does take place, as there is great probility it will, ſhould we not, in ſuch a caſe, be in an infinitely better ſituation than to have our ſcattered forces (tho' almoſt innumerable) to collect from all parts of the continent, after our antagoniſts are well fortified, their numbers full, and have ſtruck ſome important and fatal blow?"

"*New York, Oct.* 6. A large quantity of ſtraw, purchaſed for the troops, has lately been conſumed by fire in the town of Boſton. — A guard is placed at the door of every gentleman lately called by the King's *Mandamus* to the council-board in Boſton, and a patrole of the military is conſtantly doing duty every night in the ſtreet."

"*Boſton, Aug.* 29. This town may be termed the *alms-houſe of the colonies*; we have ſheep, grain, and ſalt fiſh, in abundance: and there is no fear of our ſubmitting as long as we are ſupported in idleneſs. You will ſee by the papers, that Gen. Gage has taken up ſome people, for holding an unlawful aſſembly at Salem; and there is ſome talk of recalling all

all the militia-commiſſions throughout the colony. Certain it is, that even at this buſy ſeaſon they are out a-training two or three times a-week in many parts of the country; and it is ſaid, that in a number of towns they have ſigned a Round-Robin, obliging themſelves to march on the ſhorteſt notice to the relief of their virtuous and ſadly-oppreſſed brethren of Boſton."

"*Boſton, Sept.* 15. This port has been blocked up theſe three months. We are not permitted to bring our goods acroſs Charleſtown ferry, which obliges us to bring them all the way round the head of the bay by Cambridge, and ſo along the neck of land to the ſouth entrance of the town. The train of carts and carriages, twenty and thirty in a line, is quite a novelty, and a ſight ſo new contributed to our amuſement. Molaſſes are ſo plenty, that we are overſtocked: ſome of the neighbouring ſeaports thinking to get a higher price here, as our navigation is blockaded, have been much diſappointed in their expected ſales; for we have more of our own than we know what to do with. At preſent we are ſtill in high ſpirits, becauſe we do not yet feel all our loſs. Our rum, of which we exported a great deal to Africa, and to the other colonies, particularly Canada, will, at leaſt, be carried twenty per cent. dearer to market; for we have, at leaſt, thirty miles land-carriage to bring the molaſſes to our diſtilleries, and the ſame way to carry it back again after it is diſtilled into rum, before it can be ſhipped. This is ſuch a drawback, that the people of Salem (who can afford their rum without the expence of this double carriage) will carry off all this trade. This is not all: upwards of 400 veſſels in the coaſting and Weſt-India trade muſt now be laid up, or it muſt be carried on under all the diſadvantage and delay of this untoward land-carriage. A ſhip of war is moored cloſe to Charleſtown ferry, and a guard of ſoldiers poſted on the ways to the ferry: not a ſingle trunk or package is allowed to be brought over. Gen. Gage has ſeized all the powder belonging to the neighbouring towns; and the whole country is full of riotous people. It is ſurpriſing that there were neither pains nor penalties included in the late acts of parliament as a puniſhment for a breach of them. As the inſurgents are now all or moſtly men of ſome landed property, a clauſe in many of the late acts ſubjecting them to confiſcation of their eſtates, would have been a ſovereign inducement for them to remain quiet."

"*New York, Sept.* 1. On Monday evening, the committee of correſpondence aſſembled for the laſt time before the departure of our delegates. The buſineſs of the enſuing congreſs was diſcuſſed with a manly firmneſs, and a becoming freedom of ſentiment. The points moſtly inſiſted upon were, That if it were recommended to the Boſtonians to pay for the tea, as an act of juſtice, their port would ſoon be opened, and then we ſhould ſtand upon our former ground, of importing no goods liable to a duty: That nothing but *dire neceſſity*, according to our own reſolves, ſhould induce us to break off our connections with the parent-country; and that whenever we ſhould be reduced to the laſt ſad alternative of entering into a non-importation agreement, it ought not to be a partial one, like the laſt, when ſome men made fortunes by the ruin of others; but that it ſhould include and ſuſpend the importation of every European commodity, from all parts of the world."

At a meeting of freeholders and other inhabitants of the province of Georgia, held, at Savanna, July 27. ſundry letters and reſolutions from the committees of correſpondence at Boſton, Philadelphia, Annapolis, Williamſburgh, North Carolina, and Charleſtown, were read. On a motion, That a committee be appointed to draw up reſolutions to be entered into, ſimilar to thoſe of the northern provinces, a debate aroſe; and the queſtion being put, it paſſed in the affirmative by a great majority. A committee of thirty-one perſons was appointed. But ſeveral gentlemen objecting to reſolutions being immediately entered into, as the inhabitants of the diſtant pariſhes might not have had timely notice of this meeting, it was reſolved, That the meeting be adjourned to Wedneſday, Aug. 10; that the chairman do write to the ſeveral pariſhes, that it is expected they will ſend deputies on that day, with full power to act in their behalf; and that the reſolutions to be agreed on at the next meeting by the majority be deemed the ſenſe of the inhabitants of the province.

On Friday, Aug. 5. Sir James Wright, Governor of the province, iſſued the following proclamation.

"Whereas

"Whereas I have received information, that on Wednesday, the 27th day of July laſt paſt, a number of perſons, in conſequence of a printed bill or ſummons, iſſued and diſperſed throughout the province by certain perſons unknown, did unlawfully aſſemble together, at the watch-houſe in the town of Savannah, under colour or pretence of conſulting together for the redreſs of public grievances, or imaginary grievances; and that the perſons ſo aſſembled for the purpoſes aforeſaid, or ſome of them, are, from and by their own authority, by a certain other hand-bill, iſſued and diſperſed throughout the province, and other methods, endeavouring to prevail on his Majeſty's liege ſubjects to have another meeting on Wedneſday the 10th inſtant, ſimilar to the former, and for the purpoſes aforeſaid; which ſummonſes and meetings muſt tend to raiſe fears and jealouſies in the minds of his Majeſty's good ſubjects: And whereas an opinion prevails, and has been induſtriouſly propagated, that ſummonſes and meetings of this nature are conſtitutional and legal: In order, therefore, that his Majeſty's liege ſubjects may not be miſled and impoſed upon by artful and deſigning men, I do, by and with the advice of his Majeſty's Honourable Council, iſſue this my proclamation, noticing, that all ſuch ſummonſes and calls by private perſons, and all aſſembling and meetings of the people which may tend to raiſe fears and jealouſies in the minds of his Majeſty's ſubjects, under pretence of conſulting together for redreſs of public grievances, or imaginary grievances, are unconſtitutional, illegal, and puniſhable by law: And I do hereby require all his Majeſty's liege ſubjects within this province to pay due regard to this my proclamation, as they will anſwer the contrary at their peril. Given," &c.

This proclamation notwithſtanding, a general meeting was held at the time and place appointed, and ſeveral reſolutions ſimilar to thoſe of the other colonies were entered into. But, according to the Georgia gazette of Sept. 7. ſeveral inhabitants and freeholders of the town and diſtrict of Savannah, in his Majeſty's province of Georgia, being impreſſed with a deep ſenſe of gratitude to the crown, and to the parliament of G. Britain, for the continued ſupport which that province has received from its firſt ſettlement, cannot help expreſſing their concern at certain reſolutions, which appeared in the Georgia gazette of Aug. 17. and are ſaid "to have been entered into at a general meeting of the inhabitants of this province." After taking ſome notice of the manner in which thoſe reſolutions were obtained, and giving their reaſons, &c. at large, they ſay, "We enter this our public diſſent to the ſaid reſolutions of the 10th inſtant, and all the proceedings had, or to be had, thereon; and do earneſtly deſire that ſuch reſolutions may not be taken as the ſenſe of the inhabitants of Georgia." — Signed by 100 perſons.

Delegates from every town in the county of Suffolk, of which Boſton is the capital, agreed to reſolutions, Sept. 6. in ſubſtance as follows.

1 That the King of England is their rightful ſovereign.

2. That it is their duty, by all lawful means, to defend their civil and religious rights and liberties.

3. That the late act for ſhutting up Boſton port, and for ſcreening the moſt notorious violators of the laws of the province, are groſs infractions of theſe rights.

4. That no obedience is due from the province to either or any part of the acts above mentioned, but that they ought to be rejected, as the wicked attempts of an abandoned adminiſtration to enſlave America.

5. That ſo long as their juſtices of courts are appointed, or hold their places, by any other tenure than that which the provincial charter and laws direct, they muſt be conſidered as under undue influence, and are therefore unconſtitutional officers; and as ſuch, no regard ought to be paid to them by the country.

6. That if the judges ſhall ſit and act during their preſent diſqualified ſtate, this county will ſupport and bear harmleſs all ſheriffs, jurors, &c. who ſhall refuſe to carry into execution the orders of ſaid court. And they recommend it to creditors, to ſhew the greateſt forbearance to debtors, and to all debtors to pay their juſt debts with all poſſible ſpeed; and if diſputes ariſe, to ſettle them by arbitration; and thoſe who refuſe, to be conſidered as co-operating with the enemies of America in its deſtruction.

7. That it be recommended to all collectors of taxes, conſtables, and other officers,

officers, who have any public money in their hands, to detain the ſame, and not to pay it as uſual to the treaſurer, until the civil government of the province is placed on a conſtitutional foundation, or until it ſhall be otherwiſe ordered by the propoſed provincial congreſs.

8. That thoſe who have accepted ſeats at the council-board by *Mandamus* from the King, have violated the duty they owed their country, and given juſt offence to the people; and are adviſed, on or before the 20th of September, to reſign; if they do not, to be conſidered as obſtinate and incorrigible enemies to their country.

9. That the fortifications carrying on at Boſton Neck (the only avenue by land into the town) are juſtly alarming to this country, and give reaſon to apprehend ſome hoſtile intention againſt that town; more eſpecially as the commander in chief has, in a very extraordinary manner, removed the powder from the magazine at Charleſtown, and forbid the keeper of that at Boſton to deliver out any of the powder lodged there to its juſt owners.

10. That the eſtabliſhment of the Roman-Catholic religion and French laws in the extenſive country called Canada, is dangerous in an extreme degree to the Proteſtant religion, and to the civil rights and liberties of all America; and therefore, as men, and as Proteſtant Chriſtians, they ſay they are obliged to take all proper meaſures for their ſecurity.

11. That the inhabitants ought immediately to do all in their power to perfect themſelves in the art of war; and for this purpoſe the militia are to appear under arms once every week.

12. That during the preſent hoſtile appearance on the part of G. Britain, notwithſtanding the many inſults and oppreſſions which they ſay they moſt ſenſibly feel and reſent, yet nevertheleſs, from their affection to his Majeſty, which they ſay they have at all times evidenced, they are determined to act merely upon the defenſive, ſo long as ſuch conduct may be vindicated by reaſon, and the principles of ſelf-preſervation, — but no longer.

13. That as it has been reported, that ſundry gentlemen in the county who have made themſelves conſpicuous by contending for the violated rights of their country, were to be apprehended; they recommend, in caſe ſo audacious a meaſure ſhould be carried into execution, that all the officers of ſo tyrannical a government throughout the province be ſeized, and kept in ſafe cuſtody, till the others ſhall be reſtored to their families and friends.

14. That until their rights are fully reſtored, they will with-hold, and recommended it to the other counties to with-hold, all commercial intercourſe with G. Britain, Ireland, and the Weſt Indies. That they will refrain from the uſe of India teas, piece-goods, &c.

15. That they will encourage arts and manufactures all they can; and a committee are appointed to conſider of the beſt ways and means.

16. That in the preſent ſituation of public affairs a provincial congreſs ought to be called, and they recommend it to all the counties to ſend delegates for that purpoſe to the town of Concord, the ſecond Tueſday in October, about twenty miles from Boſton.

17. That this county, confiding in the wiſdom and integrity of the continental congreſs, will pay all due reſpect and ſubmiſſion to any meaſures which they may recommend to the colonies.

18. They recommend it to all orders of people, to reſtrain their reſentments, and avoid all rouſts, riots, and diſorderly proceedings, as being deſtructive of all good government; and by a ſteady, manly, uniform, and perſevering oppoſition, to convince their enemies, that in a conteſt ſo important, in a cauſe ſo ſolemn, their conduct ſhould be ſuch as to merit the approbation of the wiſe, and the admiration of the brave and free, of every age and of every country.

At a meeting of the deputies from every town in the county of Eſſex, in the province of Maſſachuſet's-bay, held at Ipſwich on the 6th and 7th of September, ſeveral reſolutions were agreed to, ſimilar to thoſe formed by the deputies from other places, except the laſt, which is as follows.

"Deeply affected with a ſenſe of the miſeries and calamities now impending over the colonies, and this province in particular, we are compelled to form theſe reſolutions, which, as we apprehend, being founded in juſtice and neceſſity, on the principles of our natural, eſſential, and unalienable rights, we are determined to abide by. At the ſame time we frankly and with ſincerity declare, that we ſtill hold ourſelves ſubject to

of his Majeſty King George III. as ſuch will bear him true allegiance, and are ready, with our lives and fortunes, to ſupport and defend his perſon, crown, and dignity, and his conſtitutional authority over us. But by the horrors of ſlavery, by the dignity and happineſs attending virtuous freedom, we are conſtrained to declare, that we hold our liberties too dear to be ſported with, and are therefore moſt ſeriouſly determined to defend them. This, in the preſent diſpute, we conceive may be effected by peaceable meaſures: but though above all things (ſlavery excepted) we deprecate the evils of a civil war, -- though we are anxious to reſtore and preſerve a harmony with our brethren in G. Britain; yet, if the deſpotiſm and violence of our enemies ſhould finally reduce us to the ſad neceſſity, we, undaunted, are ready to appeal to the laſt reſort of ſtates, and will, in ſupport of our rights, encounter even death; "ſenſible that he can never die too ſoon who lays down his life in ſupport of the laws and liberties of his country."

In purſuance of the 5th reſolution of this meeting, a committee waited on the Hon. William Browne, Eſq; of Salem, Sept. 9. to acquaint him, "That, with grief, this county has viewed his exertion for carrying into execution acts of parliament calculated to enſlave and ruin his native land; that while the county would continue the reſpect for ſeveral years paid him, it firmly reſolves to detach from every future connection all ſuch as ſhall perſiſt in ſupporting, or any wiſe countenancing, the late arbitrary edicts of parliament; that the delegates, in the name of the county, requeſt him to excuſe them from the painful neceſſity of conſidering and treating him as an enemy to his country, and therefore that he would reſign his office as counſellor on the late eſtabliſhment, and decline as a judge (and in every other capacity) to execute the late acts of parliament, and all others deemed by the province unconſtitutional and oppreſſive." —— To which he gave, in writing, the following anſwer. -- "Gentlemen, I cannot conſent to defeat his Majeſty's intention, and diſappoint his expectations, by abandoning a poſt to which he has been graciouſly pleaſed to appoint me: An appointment made without my ſolicitation or privity, and accepted by me from a ſenſe of duty to the King, and the hopes of ſerving my country. I wiſh, therefore, to give him no cauſe to ſuſpect my fidelity; and I aſſure you I will do nothing without a due regard to their true intereſt. As a judge, and in every other capacity, I intend to act with honour and integrity, and to exert my beſt abilities; and be aſſured, that neither perſuaſions can allure me, nor ſhall menaces compel me, to do any thing derogatory to the character of a counſellor of his Majeſty's province of the Maſſachuſet's-bay. WILLIAM BROWNE."

At a provincial meeting at Philadelphia, of deputies choſen by the ſeveral counties in Pennſylvania, preſent thirty-four for the city and county of Philadelphia, and forty-one for ten other counties of that province, inſtructions were propoſed for their delegates; among which were the following.

"That the delegates you appoint may be inſtructed by you ſtrenuouſly to exert themſelves at the enſuing congreſs, to obtain a renunciation on the part of G. Britain, of all powers under the ſtatute 35th Henry VIII. ch. 2.; of all powers of internal legiſlation, — of impoſing taxes or duties internal or external, -- and of regulating trade, except with reſpect to any new articles of commerce which the colonies may hereafter raiſe, as ſilk, wine, &c. reſerving a right to carry theſe from one colony to another; — a repeal of all ſtatutes for quartering troops in the colonies, or ſubjecting them to any expence on account of ſuch troops, — of all ſtatutes impoſing duties to be paid in the colonies, that were paſſed at the acceſſion of his preſent Majeſty, or before this time, whichever period ſhall be judged moſt adviſeable, — of the ſtatutes giving the courts of admiralty in the colonies greater power than courts of admiralty have in England, — of the ſtatutes 5th Geo. II. chap. 22. and 23d Geo. II. chap. 29. — of the ſtatute for ſhutting up the port of Boſton, — and of every other ſtatute particularly affecting the province of Maſſachuſet's-bay paſſed in the laſt ſeſſion of parliament. —— In caſe of obtaining theſe terms, it is our opinion, that it will be reaſonable for the colonies to engage their obedience to the acts of parliament, commonly called *the acts of navigation*, and to every other act of parliament declared to have force at this time in theſe colonies, other than thoſe above mentioned, and to confirm ſuch ſtatutes by acts of the ſeveral aſſemblies.

blies.—It is alſo our opinion, that, taking example from our mother-country, in aboliſhing the "courts of wards and liveries, tenures *in capite*, and by knights ſervice and purveyance," [ix. 205.], it will be reaſonable for the colonies, in caſe of obtaining the terms before mentioned, to ſettle a certain annual revenue on his Majeſty, his heirs, and ſucceſſors, ſubject to the controul of parliament, and to ſatisfy all damages done to the East-India company."

"*Hartford, Sept.* 6. On Tueſday laſt, being the day the county-court was to ſit at Springfield, a great concourſe of people, judged to be about 1000, aſſembled at the court-houſe in that place, and appointed a committee to wait on the court, and requeſt their appearance among the people; which they immediately complied with; when they very willingly ſigned the following engagement, viz.

"We, the ſubſcribers, do ſeverally promiſe, and ſolemnly engage to all the people now aſſembled at Springfield, in the county of Hampſhire, on the 30th of Auguſt 1774, that we never will take, hold, execute, or exerciſe, any commiſſion whatſoever, under or by virtue of, or in any manner derived from any authority pretended or attempted to be given by a late act of parliament, intitled, *An act for the better regulating the government of the province of the Maſſachuſet's-bay, in New England.* [Signed] *Iſrael Williams. Oliver Partridge. Timothy Dwight. Thomas Williams. John Worthington. Joſeph Hawley. Wm Williams. Simon Strong. Moſes Bliſs. Jonathan Aſhley. Eliſha Porter. William Billings. John Phelps. Solomon Stoddart. Juſtus Ely. Caleb Strong. Samuel Fowler. Jonathan Bliſs.*"

"*Boſton, Sept.* 14. The ſelectmen of Boſton have waited on Gen. Gage, deſiring to know what he means by placing cannon at the avenues of the town, and digging trenches round the ſaid town. To which he has returned an anſwer, That he has no hoſtile intention, and only means to have them in readineſs, in caſe of an attack from them."

This verbal anſwer not having been ſatisfactory, a petition was preſented to his Excellency, Sept. 9. viz.

"May it pleaſe your Excellency,

The ſelectmen of Boſton, at the earneſt deſire of a number of gentlemen of the town and county, again wait on your Excellency, to acquaint you, that ſince our late application the apprehenſions of the people, not only of this but the neighbouring towns, are greatly increaſed, by obſerving the deſign of erecting a fortreſs at the entrance of the town, and of reducing this metropolis in other reſpects to the ſtate of a garriſon.—This, with complaints lately made of the abuſe of the guards poſted in that quarter, in aſſaulting and forcibly detaining ſeveral perſons who were peaceably paſſing in and out of the town, may diſcourage the market-people from coming in with their proviſions as uſual, and oblige the inhabitants to abandon the town.

This event we greatly deprecate, as it will produce miſeries which may hurry the province into acts of deſperation.

We ſhould, therefore, think ourſelves happy if we could ſatisfy the people, that your Excellency would ſuſpend your preſent deſign, and not add to the diſtreſſes of the inhabitants occaſioned by the port-bill—that of garriſoning the town.

John Scollay, Chairman of the Selectmen."

To which his Excellency returned the following anſwer.

"GENTLEMEN, When you lately applied to me, reſpecting my ordering ſome cannon to be placed at the entrance of this town, which you term "the erecting a fortreſs," I ſo fully expreſſed my ſentiments, that I thought you was ſatisfied the people had nothing to fear from that meaſure, as no uſe would be made thereof, unleſs their hoſtile proceedings ſhould make it neceſſary. But as you have this day acquainted me that their fears are rather increaſed, I have thought proper to aſſure you, that I have no intention to prevent the free egreſs and regreſs of any perſon to and from the town, or of reducing it to the ſtate of a garriſon; neither ſhall I ſuffer any under my command to injure the perſon or property of any of his Majeſty's ſubjects. But as it is my duty, ſo it ſhall be my endeavour, to preſerve the peace, and promote the happineſs of every individual: and I earneſtly recommend to you, and every inhabitant, to cultivate the ſame ſpirit; and heartily wish they may live quietly and happy in the town. T. GAGE."—*Boſton, Sept.* 9.——*To the Gentlemen Selectmen of the Town of Boſton.*"

In purſuance of a vote of a meeting of delegates from the ſeveral towns and diſtricts

ſtricts of the county, Suffolk, held at Milton the ſame day, Sept. 9. a committee of fifteen of their number waited on Gov. Gage, to know if he would receive an addreſs of the delegates on the ſame ſubject. His Excellency deſiring he might have a copy of it in a private way, that he might have an anſwer prepared, he was furniſhed with a copy; and thereupon appointed Monday, Sept. 12. to receive the addreſs.—The following is a copy of it

"To his Excellency, Thomas Gage, Eſq; Captain-General, and Commander in Chief of his Majeſty's province of Maſſachuſet's-bay.

The county of Suffolk being greatly, and, in their opinion, juſtly, alarmed at the formidable appearances of hoſtility now threatening his Majeſty's good ſubjects of this county, and more particularly of the town of Boſton, the loyal and faithful capital of this province, beg leave to addreſs your Excellency, and repreſent, That the apprehentions of the people are more eſpecially increaſed by the dangerous deſign now carrying into execution, of repairing and manning the fortifications at the ſouth entrance of the town of Boſton, which, when completed, may at any time be improved to aggravate the miſeries of that already impoveriſhed and diſtreſſed city, by intercepting the wonted and neceſſary intercourſe between the town and country, and compel the wretched inhabitants to the moſt ignominious ſtate of humiliation and vaſſalage, by depriving them of the neceſſary ſupplies of proviſions, for which they are chiefly dependant on that communication.

We have been informed, that your Excellency, in conſequence of the application of the ſelectmen of Boſton, has moſt diſavowed any intention to injure the town in your preſent maneuvres, and expreſſed your purpoſe to be for the ſecurity of the troops and ſubjects in the town. We were at a loſs to gueſs, may it pleaſe your Excellency, from whence your want of confidence in the loyal and orderly people of this county could originate. A meaſure ſo formidable, carried into execution from a preconceived, though cauſeleſs, jealouſy of the inſecurity of his Majeſty's troops and ſubjects in the town, deeply wounds the loyalty, and is an additional injury to the faithful ſubjects of this county, and affords them a ſtrong motive for this application: We therefore intreat your Excellency to deſiſt from your deſign, aſſuring your Excellency, that the people of this county are by no means diſpoſed to injure his Majeſty's troops. They think themſelves aggrieved and oppreſſed by the late acts of parliament, and are reſolved, by divine aſſiſtance, never to ſubmit to them; but have no inclination to commence a war with his Majeſty's troops: and they beg leave to obſerve to your Excellency, that the ferment now excited in the minds of the people, is occaſioned by ſome late tranſactions, by ſeizing the powder in the arſenal at Charleſtown; by with-holding the powder lodged in the magazine at Boſton from the legal proprietors; by inſulting, beating, and abuſing paſſengers to and from the town by the ſoldiery, in which they have been encouraged by ſome of their officers, thus putting the people in fear, and menacing them in their nightly patrole into the neighbouring town, and more particularly by the fortifying the ſole avenue by land to the town of Boſton.

In duty, therefore, to his Majeſty, and to your Excellency, and for the reſtoration of order and ſecurity to this county, we the delegates from the ſeveral towns in this county, being commiſſioned for this purpoſe, beg your Excellency's attention to this our humble and faithful addreſs; aſſuring you, that nothing leſs than a removal of the ordnance, and reſtoring the entrance into that town to its former ſtate, and an effectual ſtop of all inſults and abuſes in future, can place the inhabitants of this county in that ſtate of peace and tranquillity in which every free ſubject ought to live."

A letter written by the Earl of Stair.

"SIR, *Culhorn, October* 4. 1774.

I am to thank you for your letter of the 29th of September, and likewiſe for a pamphlet you ſent me formerly. My conduct in parliament in theſe unhappy American matters, deſerves not the acknowledgements the late council of the province of Maſſachuſet's-bay, are pleaſed to honour it with: all I can pretend to, is a ſincere affection to both countries, (whoſe intereſts, if rightly underſtood, are and muſt ever be the ſame), with little ability, and ſtill leſs power, to be of ſervice to either. Great and repeated provocations have drawn down corrections too precipitate, I think, perhaps too harſh. But we muſt look forward,

ward, and hope, that through the mediation of men of temper, and of diſintereſted principles, conciliatory meaſures will be fallen on. To be in any manner inſtrumental to which, is my warmeſt with. I am, Sir, your moſt humble, and moſt obedient ſervant, STAIR.

To William Bollan, Eſq; Late agent to the late Council of Maſſachuſet's-bay.

The Thoughts of a Traveller upon our AMERICAN DISPUTES.

BY what fatality has it happened, that this nation has ſeldom been exempt from a plot, inſurrection, rebellion, or revolution, beyond a ſpace of thirty years? The feveriſh conſtitution of the ſtate, like that of the body, ſeems to require a copious blood-letting at certain periods. The reſtleſs turn of our people gives them as great a furfeit of peace and tranquillity, as of war and miſery. *Eo ventum eſt, ut nec bellum, nec pacem ferre poſſint.* The intervention of a vaſt ocean has not been ſufficient to preſerve North America from the infection. Various methods of cure have been propoſed; who can find the true one?

I muſt confeſs myſelf to be one of thoſe who wiſhed that the grand queſtion of our legiſlative right to tax the North Americans had never been agitated. I thought it big with the fate of theſe kingdoms, and trembled for the conſequences; which have correſponded with my fears and predictions. As the tumults and confuſions occaſioned by the ſtamp-act convinced me, that the minds of the Americans were not prepared for any unuſual impoſts, and that they had no conviction of our authority to impoſe them, I ventured to offer to the public my ideas on that ſubject; was in hopes that the ſtate would have made an act of oblivion and pardon for what had paſſed, and did not think that the dignity of parliament would have been hurt by the offer, or the pride of the Americans by the acceptance of it; for as each party was ſaid to have been ſomething in the wrong, what better mode could we have taken for a thorough reconciliation?

The miniſter who encouraged and formed the ſtamp-act, was a man of the beſt intentions and principles, and a ſincere lover of his country: he was placed at the head of a treaſury, exhauſted by enormous debts and expences, incurred by a war which raiſed us to the ſummit of external glory, and brought us down to the brink of internal ruin. It was thought that the Americans, who had profited moſt by the war, and had not only been ſaved but enriched by it, might and ought to contribute ſomething to leſſen thoſe debts in time of peace. The project was plauſible; but ſome unlucky ſteps were taken at ſetting out. The Americans were diſobliged more by another regulation than by the act itſelf. It did not ſeem conſiſtent with ſound policy, to take their money, and at the ſame time deprive them of the means by which they procured it. We attempted in vain to conciliate the court of Spain to our political views at the expence of our fellow-ſubjects, and to diſſolve the family-compact by the ſacrifice of that tacit commerce, by which ſo great a portion of our American ſilver was introduced. The ill humours and ferments raiſed by thoſe reſtrictions had not ſubſided when I viſited North America; induced to it by a curioſity to examine that very important and riſing part of the Britiſh empire, in contradiction, I own, to the prevailing taſte of the age, delighting in nothing ſo much as the inſpection of ruins. A vaſt ſcene preſented itſelf. Large, populous, and well-built cities, ſeated on the banks of the nobleſt ſtreams, aſtoniſhed the ſight; but when examined with a ſoldier's eye, they appeared naked, defenceleſs, and entirely in the power of our fleets, on which they are as dependent for protection, proſperity, or ruin, as an infant in the hands of a giant.

Education, learning, and the fine arts, were advanced far beyond their dawn, agriculture and commerce riſing faſt to their meridian; nothing ſeemed on the decline but their forts; the inhabitants were manly and active, their courteſy ſincere, their hoſpitality far exceeding ours. They are expert in the uſe of arms, (the Quakers excepted). Shooting at marks is their conſtant diverſion in the country; they are uſed to it from their infancy. Their militia, with a little more ſubordination, would be formidable, and their numbers deſerving of our ſerious conſideration. They have within themſelves almoſt every reſource to form a great naval power, and to look forward to the dominion of the ſea; and to ſupply us with thoſe materials which we now ſo abſurdly purchaſe by a loſing commerce with the northern powers of Europe. Their ſailors are numerous, expert,

pert, and hardy. In ſhort, the country is impregnated with all the ſeeds of a mighty empire, waiting only for the maturing hand of time and good management to bring it forth. There are in it great numbers of loyal ſubjects, affectionate to this country, and heartily diſpoſed to ſerve it in all caſes which they think conſiſtent with their rights and privileges. I was alſo thoroughly convinced, from my converſations with many gentlemen of the firſt name and property, that none of them entertained the moſt diſtant thought of withdrawing themſelves from their dutiful obedience to the parent-ſtate. But their common people, by being generally freeholders, and by their happy forms of government, have a very bold, ſtentious, and republican turn. They often awe and force their betters into many diſagreeable reſolves and compromiſes by their dangerous ſpirit of inſurgency. There are alſo many fierce, untractable men, who, under the pretence of lopping the too luxuriant and overbearing branches of prerogative, would gladly lay the axe to the root of the tree, and fell monarchy to the ground. They entertain an hereditary and ſettled hatred to the conſtitution of this country both in church and ſtate; are great declaimers againſt tyranny and perſecution, if offered to themſelves; but, give them once power, and they unmask, are cruel, intolerant, and perſecuting. Theſe are the men we ſhould now watch, and guard againſt, or they will renew the days of Cromwellian fanaticiſm. I hope they have miſtaken their century, which, a few men excepted, has neither the deſpotiſm nor weakneſs of the laſt. But permit me to ſay, that we ourſelves have laid that baſis on which the preſent oppoſition of the Americans is founded. The nation was fatally diviſed in opinion as to the right of taxation; it was therefore very natural for them to adhere to that which coincided with their intereſts. I know of no people who are fond of being taxed but the Engliſh. In this violent and fluctuating ſtate of our parties, the flow and ebb of popular authority reſembled that of the river near which the members were aſſembled; ſometimes ſwelling, and overflowing its proper bounds, and anon ſinking from its conſequence and power, and diſcloſing nothing but ſhallows, dirt, and mud. During this low and inactive receſs of Britiſh prerogative, the tide turned in favour of the Americans, whoſe triumph was complete over the authority of this country. Our legiſlature repealed the power of taxing them, with the ſame facility and precipitation with which it had been aſſerted. Their friends here rejoiced that they had reſiſted the act, and taught them a leſſon they will not fail to repeat upon all ſimilar occaſions. Nor are we to wonder that we have met with ſo dangerous an oppoſition to our ſubſequent acts of parliament, grounded on the ſame diſputed right of taxation. America has been encouraged to think ſuch reſiſtance lawful and virtuous; they who gave it birth may wiſh to ſee its death. But, now it is begun, where will it end? One half of the empire is nearly rent from the other. What head can contrive, what tongue conciliate, what hand reſtore, our former union? But ſurely with a people thus diſpoſed to reſiſtance, much art and preparation were neceſſary before a ſecond eſſay of the ſame dangerous nature ſhould have been attempted: yet, in ſpite of experience, which ought to have produced wiſdom, we repeated the fatal trial, and ruſhed again into the path where no miniſter had trode in.

In the laying on of taxes, the tempers of men are to be conſidered, as well as the ſtate of their purſes. In this country, habituated to the heavieſt impoſts, we patiently bear all; the miniſter proceeds accordingly with our ſpur-galled ſides and hackneyed backs; but it required the fineſt hand and niceſt touch to bend the necks of the Americans to this unuſual weight, too roughly thrown on, and as rudely kicked off: And it ſeems very extraordinary, that we ſhould never think of guiding our affairs in that part of the world with the ſame prudence as in this. Benefits and obligations conſtitute the public as well as miniſterial ſtability. An aſs loaded with gold has ſometimes effected more than an able General with twenty legions. I am far from thinking the Americans corrupt, but I think all men ſenſible of good offices. If you deſire to reap, ſhould you not ſow? Of the numerous employments and ſinecures in America, created chiefly for the purpoſes of obligations and dependency, how few are the portion of its inhabitants? Some, indeed, act as deputies to the principals here, who live at their eaſe, without the leaſt attention to any part of

of their duty but the ſalary. The recommendation of a governor is rarely taken; and when the people find they can have no encouragement or reward for ſupporting government, diſappointment or reſentment ſoon prompts them to an averſion or indifference to our concerns. They are quick-ſighted enough to ſee through the unſubſtantial power of their rulers, ſet over them ſometimes more from compaſſion than true diſcernment, and whoſe diſtreſſes have been made an apology for want of education, judgement, or abilities to govern.

But as it is much eaſier to point out errors than to correct them, let us quit the diſagreeable topic. In this critical ſituation of affairs, what ſteps muſt we take, when it is thought dangerous to proceed,—diſgraceful to retire? Muſt the dignity, majeſty, and authority, of the ſtate, give way to its commercial intereſts, or the intereſts be ſacrificed to dignity? For my own part, I am convinced that the legiſlature has the ſame lawful and indubitable right to tax our fellow-ſubjects in America, as thoſe of Cornwall or Wales; yet it ſhould be remembered, that right and convenience may be often at variance; which is the caſe at preſent. We have many laws yet unrepealed, the revival of which would cauſe infinite diſturbances; we are therefore more to be honoured for the breach than the obſervance of them; they remain unexerted and dormant. The famous Spartan made the laws of his country ſleep for that day, when the ſtate would have been ruined by a too ſtrict enforcement of them. Can no opiate of this ſort be introduced? I have a gentleman in my eye very proper to make that motion. When I ſay that I think we have a right to tax the Americans, I muſt alſo confeſs I did not meet with one American who acknowledged that right, though many admitted the propriety of reſtrictions with regard to the limits of their commerce. If then among ſo numerous a people, not one will acknowledge our lawful power of taxation, prudence ought to tell us that we are purſuing too dangerous a ſyſtem, in order to ſupport this power. A commercial nation might act as a commercial individual, and weigh profit and loſs in impartial ſcales. Should he be dazzled and ſeduced by an object where the gains are doubtful, and the damage certain, he ought to retreat in time, and ſave both his money and credit. Experience from our own blunders or misfortunes is bought too dear; let us gain it from hiſtory, and recollect the revolt of the Low Countries. The Spaniards taxed the inhabitants without their conſent; the Flemings pleaded exemptions and particular privileges, objected to troops forced upon their towns and houſes; they preſented their grievances to the foot of the throne; which ſpurned or deſpiſed them, as coming from a people too inſignificant to be regarded, too feeble to reſiſt.

On the ſide of government appeared powerful fleets, and veteran armies imbrued in blood, flushed with former conqueſts, and headed by the beſt generals of that age, Alva, Parma, Spinola. No conteſt ſeemed at firſt more unequal. Yet the enthuſiaſm of Liberty glowing in the boſoms of thoſe determined patriots, gloriouſly prevailed at laſt. The Spaniſh arguments of confiſcations, racks, and gibbets, were in vain employed to compel them to baſe ſubmiſſion. And as it was the common intereſt of Europe, to reduce the exorbitant power of that crown, the weaker ſtates availed themſelves of the lucky opportunity. We ſent them money, arms, and ſoldiers; the views of France were the ſame; and ſuch fuel was conſtantly added to that fire, as in its conſequences reduced and brought down the towering fabrick of the Spaniſh monarchy, erected on the miſeries of half mankind. My countrymen, what Spain was then, Britain is now; when united with her colonies, the firſt and leading power, dreaded, envied, and hated, by thoſe whoſe humiliation has been effected by the wiſdom of our councils, and the bravery and diſcipline of our fleets and armies. Can we think then that other nations, who may reap the ſame advantages from our diſſentions, will fail to act the ſame parts to our debaſement and ruin? If this may poſſibly be the end of our wide-ſpreading flame, let us haſten to extinguiſh it before it be too late. Let both parties liſten to the calm and diſpaſſionate voice of reaſon and moderation. Should the ſword be once drawn, rage, guilt, and deſpair, may throw away the ſcabbard: we know the fatal ſequel; our enemies will tell it with pleaſure. Let the Americans modeſtly point out their grievances, whether real or imaginary. The deliberate wiſdom of the legiſlature

may

may then conſider how far to proceed, and where to ſtop; what points may be given up with grace and dignity, and in what points the intereſts of our country and the majeſty of government muſt be maintained with unabating firmneſs and reſolution. At all events, it ſeems moſt neceſſary for us to arm powerfully by ſea. To a nation ſubmitting through weakneſs, every condeſcenſion becomes a new cauſe of debility. The eaſe which one inſolent demand is complied with, produces a freſh inſult, and more exorbitant demands; therefore the true mode of granting the Americans any favour, is to be in a proper and reſpectable poſture to command and enforce obedience. I have not the leaſt ſcruple to affirm, that the Boſtonians are even now guilty of high treaſon; almoſt every one of their late actions and reſolves is an open defiance and ſtab to the authority of this country. It is not only the right of taxation which is diſputed, but whether the ſtate has any right to govern them at all? *De imperio agitur*. Our government might be juſtified in proceeding to the laſt extremities againſt them; but its lenity has been ſuch, that the innocence of a few has ſaved multitudes of the guilty from condign puniſhment. We have waited, with the utmoſt patience and forbearance, in hopes that we may not be obliged to come to theſe terrible extremes. Military powder is a rough medicine. Muſt we kill in order to cure? I flatter myſelf that both ſides may yet return to their old good humour and right underſtanding. Should chaſtiſement become unavoidable, I would employ the ſea-forces only on that ſervice. The ſhips and marines can curb Boſton. I would recall all the regiments now there, the garriſon of Caſtle-William excepted; for if it be the general ſyſtem of the Americans to reſiſt our laws, what does the handful of troops ſignify? They are too numerous indeed for ambaſſadors, and too few for ſoldiers: and why not ſpare the expence? why enrich theſe turbulent people, when your plan is to humble them? The arming of the Canadians is an expedient ſtill more dangerous, for reaſons too delicate for a news-paper. A well-digeſted ſyſtem and arrangement of our fleet, can effect every purpoſe of the ſtate, will prevent our old enemies from fiſhing in our troubled waters, and, if the Boſtonians perſevere, can prevent them from fiſhing at all. I am a great enemy to violent meaſures; but I know we have the power, ſhould we have the will, to enforce ſubmiſſion. If it be the general plan of the Americans to ſtarve this country into an alteration of meaſures, by a total prohibition of commerce, we ſhould mutually ſuffer, perhaps mutually fall; but they will periſh firſt, if that could be any conſolation to the miſerable ſurvivors. It would be eaſy for government to ſay to them, "If you will not trade with us, you ſhall not trade at all." It would not be difficult to effect that determination by a naval blockade at particular ſtations eaſy to be pointed out. Should they attempt to debauch our ſeamen and ſoldiers by premiums to encourage deſertion, ſevere reprifals might be made: if they rob us of thoſe who in ſervice are the property of the ſtate, their private property ſhould anſwer for it. Proclaim freedom to their negroes, then how long would they be a people? They would ſoon cry out for pardon, and "render unto Cæſar the things which are Cæſar's."

I have ſaid, that I thought the legiſlature had as much lawful right to tax our fellow-ſubjects in America, as thoſe of Cornwall or Wales, or any other county: I ſubmit my opinion to the judgement of the public; thus I ſtate it.

Let us ſuppoſe, that any 500 ſubjects are determined to try their fortunes elſewhere, and voluntarily emigrate to North America. I preſume that no one will deny the power of the legiſlature over them at their departure, or ſay that they are more exempt from our taxes, tribunals, juries, puniſhments, than the reſt of their fellow-ſubjects whom they left behind. In what part of their voyage then does the ſtate loſe its uſual right over them? at thirty, three hundred, or three thouſand miles? Until ſome advocate for American independency will explain this to my conviction, their condition ſeems to be juſt the ſame in America as here; diſtance can make no alteration. If the ſtate upon their departure had promiſed them any particular immunities, they would be in the right not to ſubmit to any taxes levied upon them in breach of ſuch a promiſe. Let them produce this promiſe, or they muſt ſtill remain ſubject to our taxation *. As a

Anſwers, by Carolinienſis, an American.

* [This is preciſely the caſe of the Americans: They were promiſed at their departure

a ſubterfuge from this argument, they ſay, We are not repreſented; we do not conſent to this tax, becauſe we are unrepreſented. Whoſe fault is that? If they voluntarily quit the place of their repreſentation for another where no repreſentation is, how is the ſtate to blame? It cannot loſe its own authority over them as ſubjects, becauſe they chuſe to remove to a greater diſtance from the ſeat of government. It may be lenity in the legiſlature not to inſiſt upon taxation, but ſurely the emigrants cannot claim a lawful exemption from it. A man may give up ſome advantages, in order to be poſſeſſed of others: he may purchaſe an eſtate liable to ſome diſagreeable reſtrictions; it is his own affair, his own option; *hæc eſt conditio vivendi*. If he alters his ſituation for the worſe, he muſt take things as he finds them. The Americans are in the ſame predicament. If by a voluntary dereliction of their native country, ſome diſadvantages may have attended them, I do not ſee that they have any juſt colour or pretence to accuſe our legiſlature of tyranny or cruelty. The laws which bound the fathers, muſt bind the ſons, unleſs the grace of government ſhould indulge them in ſome peculiar privileges: until theſe are granted, their reſiſtance is criminal. But there is a previous queſtion to be put to theſe complaints. Had they the right of repreſentation before their emigration? If they had not, when did they acquire it *? There are undoubtedly many gentlemen in America of very good families; I have the honour to know ſeveral of them; but there are alſo ſome hundred thouſands who were not freeholders at the time of emigration, and of conſequence gave no more conſent to taxation by repreſentatives, than ſome millions of people at this day in G. Britain and Ireland; but ſhould one million of ſubjects be induced to leave us, would the ſix millions remaining behind allow, that becauſe theſe men had withdrawn themſelves from the common burdens of the land, they were intitled to extract all the ſweets of government, and leave the bitter part to thoſe whom they had deſerted? No one could or ought to conſent to it; becauſe, if this reaſoning were admitted, there is an end of the ſtate: every man would fly from a land not overflowing with honey, but with debts and taxes. The ſtate muſt be immortal, and be ſupported at the expence of all its individuals, by impartial aſſeſſments. For my part, I can perceive no tyranny in taxing our fellow-ſubjects in America. Policy might perhaps induce us to a forbearance. There may have been errors in judgement, from a difference of opinions. But it ſeems the numbers of the Americans are now made their plea againſt taxation; they will not bear it. I believe not. But this is an appeal to the worſt argument in the world, that of force. It is a cogent one; but if we could ſhew no better reaſon for our right to tax them, I ſhould think we had engaged in a moſt iniquitous cauſe.

As the mutual calamities of our quarrel have been pointed out, the reflection muſt come home to every breaſt, that it is high time to agree. I am for a temple of Concord; he who can erect it will deſerve a ſtatue in its centre. Rome was founded in the blood of brethren, Babel

ture all the privileges they would have poſſeſſed in England; the deareſt and moſt valuable of which is the exemption from involuntary taxes; and in the poſſeſſion of this they cannot be ſecured without repreſentation.]

* [By the right of repreſentation, I ſuppoſe you mean, the right of aſſiſting in conſtituting a repreſentative: and in this ſenſe I anſwer to your queſtion, That the deficiency of this right muſt have been founded in his poverty; it being juſtly determined, that the man of no property ſhall not be impowered to diſpoſe of that of others; and as ſoon as that bar to his becoming a conſtituent is removed, (if his property is to be at the diſpoſal of the Engliſh parliament), the right which you inquire after is obtained. But there is another meaning which your phraſe, "the right of repreſentation," may be made uſe of to convey; that is, "the right of being repreſented;" which protects the meaneſt peaſant from every act of oppreſſion, which is not common to the wealthieſt member of his county, borough, &c. and even to the repreſentatives themſelves. The deprivation of this right would rouſe the ſpirit, not of the voting freeholders merely, but of every independent unqualified Engliſhman. He would ſpurn at an attempt to ſubject him to the arbitrary power of one unreſtrained commander, with that ſame congenial ſpirit which has hitherto ſupported (and, I truſt, will either free or ſacrifice) his brethren in America in their oppoſition to a much more dangerous meaſure, viz. an attempt to ſubject their property to the arbitrary power of ſeveral hundred unreſtrained commanders.]

in the confusion of tongues; but I hope, that we and our fellow-subjects shall have a cement of purer and happier materials, and that as one common language, descent, and affinity, so one common affection and interest may bind and unite us for ever.

VIATOR.

Mr URBAN, *November* 1774.

YOur correspondent W. P. tells the public [534], that the experiment made by throwing the lungs taken out of the thorax of a new-born infant into water, is not a certain method of discovering whether the child was born alive or not, and that therefore it ought not to be depended upon in a case where the life of a fellow-creature is at stake. Certainly, a dishonest operator may make the lungs sink if the child had breathed, by pouring a small quantity of mercury down the trachæa, after he had exhausted as much of the air as possible; and, *vice versâ*, he may make the lungs swim if the child had been still-born, by inflating the lungs as much as possible with air: but if the lungs were taken out fairly, and immersed in water, I am of opinion the sinking or swimming might well ascertain whether the child had breathed or not.

Some years since I was present at the trial of a woman for the murder of her child; and the surgeon who examined the child, offering this experiment as evidence, was immediately silenced, and not suffered to proceed any farther, as it was well known such other evidence would have been given as must have convicted the prisoner. In this case the child's throat was cut, and it was thrown into a necessary. She had confessed the fact, and it was well known she had committed the like fact twice before: however, it was urged in private, that shame for her fornication induced her to destroy the children to prevent discovery, and the children not having any sense of the value of life, it was no great crime.

To prevent such unnatural and atrocious offenders from escaping the punishment due to their guilt, the following is offered as an infallible method to discover whether the child has breathed or not. Before birth no blood passes thro' the pulmonary artery, but through the foramen ovale into the heart of the fœtus; but as soon as the child is born, and breathes, the foramen is closed, and the blood passes through the pulmonary vessels into the heart: if, therefore, upon opening the thorax of the child, the pulmonary artery and vein be found full of blood, or nearly so, there cannot be a doubt but the child has breathed.

In the case above mentioned, the wound in the child's throat was by the judge supposed to have been made by the instrument which drew it out of the necessary; but, had the surgeon been allowed to go through his evidence, it would have been known to have been made before death: and it may be useful here to say, that any division of the blood-vessels after the circulation of the blood is wholly stopped, will not take away more blood than between the valves of that vessel; but if any of the principal blood-vessels are divided while the circulation is carrying on, almost the whole circulating blood will be drained away at the wound; so that it cannot be difficult to ascertain whether a wound dividing the blood-vessels was made before or after death.

R.

A curious letter, which was found among the papers of Mr Goldwyer, surgeon of Salisbury, who died about the middle of November current 1774.

To Mr EDWARD GOLDWYER, *at his house in the Close of Salisbury.*

SIR,

BEing informed that you are the only surgeon in this city (or county) that anatomises men, and I being under the unhappy circumstance, and in a very mean condition, would gladly live as long as possibly I can, but by all appearance I am to be executed next March, having no friends on earth that will speak a word to save my life, nor send me a morsel of bread to keep life and soul together until that fatal day; so, if you will vouchsafe to come hither, I will gladly sell you my body, (being whole and sound), to be ordered at your discretion; knowing that it shall rise again at the general resurrection as well from your house as from the grave.

Your answer, Sir, will highly oblige
Your most humble servant,

Fisherton-Anger Gaol, Oct. 3. 1736. JAMES BROOKE.

A

A new eſſay (by the Pennſylvanian Farmer) on the conſtitutional power of Great Britain over the colonies in America. 2 *s.* Almon.

THE authority of parliament over the colonies was conteſted in the Houſe of Commons ſoon after the firſt migrations to America, and the ſeveral attempts in favour of the bill for free liberty of fiſhing on the coaſt of that continent were all fruſtrated by K. James I. Charles his ſucceſſor, and their miniſters, who held America to be without the realm and juriſdiction of parliament. A very different policy was however introduced in the time of the Commonwealth, by the Long Parliament; who having uſurped the right of the crown, and the ſupreme legiſlative power, not only of England, but of Scotland and Ireland, paſſed an act on the 9th of October 1651, *for the increaſe of ſhipping, and encouragement of navigation*, and extended the ſame to America. This act, at the Reſtoration, was, among others, with a few alterations, re-enacted by the King, Lords, and Commons. But being conſidered as a grievance by the colonies, was at firſt very little regarded any where in America, and not at all in Maſſachuſet's-bay, until the aſſembly of that colony had paſſed an act to enforce the obſervance of it, without which they held it to have no authority there. From this time the power of parliament being ſeldom and moderately exerciſed over America, ſometimes for the manifeſt advantage of the colonies, and always on plauſible pretences, the oppoſition which had formerly ſubſiſted to it, gradually ſubſided, and was indeed forgotten, when the late ſtamp-act, by the novelty of its operation, revived a diſpute new to the preſent generation. The people of America had, at that time, a ſenſe of their more important rights, but knew not well how to define them: they were, beſide, averſe from contending with the parent-ſtate; and therefore admitted the power of parliament, as far as could conſiſt with a denial of the juſtice of the ſtamp-act. A ſucceſſion, however, of different meaſures afterwards obliged them to preſcribe different limits to parliamentary authority; and hence, at different times, they have diſtinguiſhed between internal and external taxation; between a right of making laws, and the right of impoſing taxes; and between taxes for the regulation of trade, and thoſe for the purpoſe of a revenue. At the commencement of this controverſy, legiſlative authority was haſtily conceded to parliament by the coloniſts; but their opponents having abuſed this conceſſion, and endeavoured to infer from it a right of taxation alſo, the aſſembly of Maſſachuſet's bay, in 1773, having conſidered their political hiſtory and ſeveral charters, retracted this conceſſion, and (adopting a ſyſtem before propoſed by an American advocate) maintained the colonies to have been originally conſtituted diſtinct ſtates, ſubject to the King, but independent of the parliament; and ſince that time the claims and arguments of the coloniſts have been generally founded upon this ſyſtem, which therefore becomes an object of importance. The uncommon attention which the American controverſy now claims, has occaſioned, and will, we hope, juſtify this *retroſpect*.

The pamphlet before us appears to have been written by the celebrated Mr Dickenſon. It conſiſts chiefly of an argumentative part, in ſupport of the inſtructions of a committee of the province of Pennſylvania to their repreſentatives in aſſembly [586.], and well deſerves an attentive peruſal. M.

EXTRACTS.

THE authority of parliament has within theſe few years been a queſtion much agitated; and great difficulty, we underſtand, has occurred, in tracing the line between the rights of the mother-country and thoſe of the colonies. The modern doctrine of the former is indeed truly remarkable: for though it points out what are not our rights, yet we can never learn from it what are our rights. As for example: Great Britain claims a right to take away nine tenths of our eſtates,—have we a right to the remaining tenth? No. To ſay we have, is a "traitorous" poſition, denying her ſupreme legiſlature. So far from having property, according to theſe late-found novels, we are ourſelves a property.

We pretend not to any conſiderable ſhare of learning; but, thanks be to divine goodneſs, common ſenſe, experience, and ſome acquaintance with the

conſtitution, teach us a few ſalutary truths on this important ſubject.

Whatever difficulty may occur in tracing the line, yet we contend, that by the laws of God, and by the laws of the conſtitution, a line there muſt be, beyond which her authority cannot extend. For all theſe laws are "grounded on reaſon, full of juſtice, and true equity," mild, and calculated to promote the freedom and welfare of men. Theſe objects never can be attained by aboliſhing every reſtriction on the part of the governors, and extinguiſhing every right on the part of the governed.

Suppoſe it be allowed, that the line is not expreſsly drawn, is it hence to be concluded, there is no implied line? No Engliſh lawyer, we preſume, will venture to make the bold aſſertion. "The King may reject what bills, may make what treaties, may coin what money, may create what peers, and may pardon what offences, he pleaſes *." But is his prerogative reſpecting theſe branches of it, unlimited? By no means. The words following thoſe next above quoted from the "Commentaries on the Laws of England," are,—"unleſs where the conſtitution hath expreſsly, or by evident conſequence, laid down ſome exception or boundary, declaring, that thus far the prerogative ſhall go, and no farther." There are "ſome boundaries" then, beſides the "expreſs exceptions;" and according to the ſtrong expreſſion here uſed, "the conſtitution declares there are." What "evident conſequence" forms thoſe "boundaries?"

The happineſs of the people is the end, and, if the term is allowable, we would call it the body of the conſtitution. Freedom is the ſpirit or ſoul. As the ſoul, ſpeaking of nature, has a right to prevent or relieve, if it can, any miſchief to the body of the individual, and to keep it in the beſt health; ſo the ſoul, ſpeaking of the conſtitution, has a right to prevent or relieve, if it can, any miſchief to the body of the ſociety, and to keep that in the beſt health. The "evident conſequence" mentioned muſt mean a tendency to injure this health, that is, to diminiſh the happineſs of the people; or it muſt mean nothing. If, therefore, the conſtitution "declares by evident conſequence," that a tendency to diminiſh the happineſs of the people is a proof that power exceeds a "boundary" beyond which it ought not to "go," the matter is brought to this ſingle point, Whether taking our money from us without our conſent, depriving us of trial by jury, changing conſtitutions of government, and aboliſhing the privilege of the writ of *Habeas corpus*, by ſeizing and carrying us to England, have not a greater tendency to diminiſh our happineſs, than any enormities a king can commit under pretence of prerogative, can have to diminiſh the happineſs of the ſubjects in England? To come to a deciſion upon this point, no long time need be required. To make this compariſon, is ſtating the claim of parliament in the moſt favourable light; for it puts the aſſumed power of parliament, to do, "in all caſes whatſoever," what they pleaſe, upon the ſame footing with the acknowledged power of the king, "to make what peers—pardon what offences, &c. he pleaſes." But in this light that power is not intitled to be viewed. Such is the wiſdom of the Engliſh conſtitution, that it "declares" the King may tranſgreſs a "boundary laid down by evident conſequence," even by uſing the power with which he is expreſsly veſted by the conſtitution, in doing thoſe very acts which he is expreſsly truſted by the conſtitution to do,—as by creating too many, or improper perſons, peers; or by pardoning too many or too great offences, &c. But has the conſtitution of England expreſsly "declared," that the parliament of Great Britain may take away the money of Engliſh coloniſts without their conſent, and deprive them of trial by jury, &c.? It cannot be pretended. True it is, that it has been ſolemnly declared by parliament, that parliament has ſuch a power. But that declaration leaves the point juſt as it was before: for if parliament had not the power before, the declaration could not give it. Indeed if parliament is really "omnipotent *," that power is juſt and conſtitutional. We further obſerve, that the conſtitution has not expreſsly drawn the line beyond which, if a King ſhall "go," reſiſtance becomes lawful. The learned author of thoſe Commentaries, that, notwithſtanding ſome human frailties, do him ſo much honour, has thought proper, when treating of this ſubject, to point out the "precedent" of the Revolution, as fixing the line. We would not venture

* 1 Blackſtone, Com. 250.

* 1 Blackſtone, 161.

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any reflection on ſo great a man. It may not become us. Nor can we be provoked by his expreſſions concerning coloniſts; becauſe they perhaps contain his real, though haſty ſentiments. Surely, it was not his intention to condemn thoſe excellent men, who, caſting every tender conſideration behind them, nobly preſented themſelves againſt the tyranny of the unfortunate and miſguided Charles's reign; thoſe men whom the Houſe of Commons, even after the Reſtoration, would not ſuffer to be cenſured.

We are ſenſible of the objection that may be made, as to drawing a line between rights on each ſide, and the caſe of a plain violation of rights. We think it not material. Circumſtances have actually produced, and may again produce this queſtion. — What conduct of a prince renders reſiſtance lawful? James II. and his father, violated expreſs rights of their ſubjects, by doing what their own expreſs rights gave them no title to do, as by raiſing money, and levying troops, without conſent of parliament. It is not even ſettled, what violation of thoſe will juſtify reſiſtance. But may not ſome future prince, confining himſelf to the exerciſe of his own expreſs rights, ſuch as have been mentioned, act in a manner that will be a tranſgreſſion of a "boundary" laid down by "evident conſequence," the "conſtitution declaring he ſhould go no farther?" May not this exerciſe of theſe his expreſs rights, be ſo far extended, as to introduce univerſal confuſion, and a ſubverſion of the ends of government? The whole may be oppreſſive, and yet any ſingle inſtance legal. The caſes may be improbable; but we have ſeen and now feel events once as little expected. Is it not poſſible, that one of theſe caſes may happen? if it does, has the conſtitution expreſsly drawn a line, beyond which reſiſtance becomes lawful? It has not. But it may be ſaid, A king cannot arm againſt his ſubjects; — he cannot raiſe money without conſent of parliament. This is the conſtitutional check upon him. If he ſhould, it would be a violation of their expreſs rights. If their purſes are ſhut, his power ſhrinks. True. Unhappy coloniſts! Our money may be taken from us, — and ſtanding armies eſtabliſhed over us, without our conſent, — every expreſsly-declared conſtitutional check diſſolved, and the modes of oppoſition for relief ſo contracted, as to leave us only the miſerable alternative of ſupplication or violence. And theſe, it ſeems, are the liberties of Americans. Becauſe the conſtitution has not "expreſsly declared" the line between the rights of the mother-country and thoſe of her coloniſts, therefore the latter have no rights: A logic equally edifying to the heads and hearts of men of ſenſe and humanity.

We aſſert, a line there muſt be; and ſhall now proceed, with great deference to the judgement of others, to trace that line, according to the ideas we entertain: And it is with ſatisfaction we can ſay, that the records, ſtatutes, law-books, and moſt approved writers of our mother-country, thoſe "dead but moſt faithful counſellors," (as Sir Edward Coke calls them), "who cannot be daunted by fear, nor muzzled by affection, reward, or hope of preferment, and therefore may ſafely be believed," confirm the principles we maintain.

Liberty, life, or property, can, with no conſiſtency of words or ideas, be termed a right of the poſſeſſors while others have a right of taking them away at pleaſure. The moſt diſtinguiſhed authors that have written on government, declare it to be "inſtituted for the benefit of the people; and that it never will have this tendency where it is unlimited." Even conqueſt itſelf is held not to deſtroy all the rights of the conquered. Such is the merciful reverence judged by the beſt and wiſeſt men to be due to human nature, and frequently obſerved even by conquerors themſelves.

In fine, a power of government in its nature tending to the miſery of the people, as a power that is unlimited, or, in other words, a power in which the people have no ſhare, is proved to be, by reaſon, and the experience of all ages and countries, cannot be a rightful or legal power. For, as an excellent Biſhop of the church of England argues †, "the ends of government cannot be anſwered by a total diſſolution of all happineſs at preſent, and of all hopes for the future."

The juſt inference therefore from theſe premiſſes would be an excluſion of any power of parliament over theſe colonies, rather than the admiſſion of an unbounded power.

We well know, that the coloniſts are charged by many perſons in G. Britain, with attempting to obtain an excluſion

† Hoadley's diſcourſe on government.

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and a total independence on her. As well we know the accuſation to be utterly falſe. We are become criminal in the ſight of ſuch perſons, by refuſing to be guilty of the higheſt crime againſt ourſelves and our poſterity. *Nolumus leges Angliæ mutari.* This is the rebellion with which we are ſtigmatized. We have committed the like offence that was objected by the polite and humane Fimbria againſt a rude ſenator of his time: We have "diſreſpectfully refuſed to receive the whole weapon into our body." We could not do it, and live. But that muſt be acknowledged to be a poor excuſe, equally inconſiſtent with good-breeding, and the ſupreme legiſlature of Great Britain.

For theſe ten years paſt we have been inceſſantly attacked. Hard is our fate, when to eſcape the character of rebels, we muſt be degraded into that of ſlaves: as if there was no medium between the two extremes of anarchy and deſpotiſm, where innocence and freedom could find repoſe and ſafety.

Why ſhould we be exhibited to mankind as a people adjudged by parliament unworthy of freedom? The thought alone is inſupportable. Even thoſe unhappy perſons who have had the misfortune of being born under the yoke of bondage, impoſed by the cruel laws, if they may be called laws, of the land where they received their birth, no ſooner breathe the air of England, though they touch her ſhore only by accident, than they inſtantly become freemen [xxxiv. 299.]. Strange contradiction! The ſame kingdom, at the ſame time, the aſylum and the bane of liberty.

To return to the charge againſt us: We can ſafely appeal to that being, from whom no thought can be concealed, that our warmeſt wiſh and utmoſt ambition is, that we and our poſterity may ever remain ſubordinate to, and dependent upon our parent-ſtate. This ſubmiſſion our reaſon approves, our affection dictates, our duty commands, and our intereſt inforces.

If this ſubmiſſion indeed implies a diſſolution of our conſtitution, and a renunciation of our liberty, we ſhould be unworthy of our relation to her, if we ſhould not frankly declare, that we regard it with horror; and every true Engliſhman will applaud this juſt diſtinction and candid declaration. Our defence neceſſarily touches chords in uniſon with the fibres of his honeſt heart. They muſt vibrate in ſympathetic tones. If we, his kindred, ſhould be baſe enough to promiſe the humiliating ſubjection, he could not believe us. We ſhould ſuffer all the infamy of the engagement, without finding the benefit expected from being thought as contemptible as we ſhould undertake to be.

But this ſubmiſſion implies not ſuch inſupportable evils: and our amazement is inexpreſſible, when we conſider the gradual increaſe of theſe colonies, from their ſlender beginnings in the laſt century to their late flouriſhing condition, and how prodigiouſly, ſince their ſettlement, our parent-ſtate has advanced in wealth, force, and influence, till ſhe is become the firſt power on the ſea, and the envy of the world, — that theſe our better days ſhould not ſtrike conviction into every mind, that the freedom and happineſs of the coloniſts are not inconſiſtent with her authority and proſperity.

The experience of more than one hundred years will ſurely be deemed, by wiſe men, to have ſome weight in the ſcale of evidence to ſupport our opinion. We might juſtly aſk of her, why we are not permitted to go on, as we have been uſed to do ſince our exiſtence, conferring mutual benefits, thereby ſtrengthening each other, more and more diſcovering the reciprocal advantages of our connection, and daily cultivating affections, encouraged by thoſe advantages.

What unknown offences have we committed againſt her within theſe ten years, to provoke ſuch an unexampled change in her conduct towards us? In the laſt war, ſhe acknowledged us repeatedly, to be faithful, dutiful, zealous, and uſeful in her cauſe. Is it criminal in us, that our numbers, by the favour of divine providence, have greatly increaſed? that the poor chuſe to fly from their native countries in Europe to this continent? or that we have ſo much improved theſe woods, that if we can be forced into an unſucceſsful reſiſtance, avarice itſelf might be ſatiated with our forfeitures?

It cannot with truth be urged, that projects of innovation have commenced with us. Facts, and their dates, prove the contrary. Not a diſturbance has happened on any part of this continent, but in conſequence of ſome immediate preceding provocation.

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To what purpoſe? The charge of our affecting one great, or many ſmall republics, muſt appear as contemptible a madneſs to her, as it does to us. Divided as we are into many provinces, and incapable of union, except againſt a common danger, ſhe knew that we could not think of imbarking our treaſures of tranquillity and liberty, on an ocean of blood, in a wandering expedition to ſome Utopian port. The hiſtory of mankind, from the remoteſt antiquity, furniſhes not a ſingle inſtance of a people conſiſting of huſbandmen and merchants, voluntarily engaging in ſuch a phrenzy of ambition. No: Our higheſt pride and glory has been, with humble unſuſpecting duty to labour in contributing to elevate her to that exalted ſtation ſhe holds among the nations of the earth, and which we ſtill ardently deſire and pray ſhe may hold, with freſh acceſſions of fame and proſperity, till time ſhall be no more.

Theſe being our ſentiments, and, we are fully convinced, the ſentiments of our brethren throughout the colonies, with unſpeakable affliction we find ourſelves obliged to oppoſe that ſyſtem of dominion over us, ariſing from counſels pernicious both to our parent and her children; to ſtrive, if it be poſſible, to cloſe the breaches made in our former concord; and ſtop the ſources of future animoſities. And may God Almighty, who delights in the titles of juſt and merciful, incline the hearts of all parties to that equitable and benevolent temper, which is neceſſary ſolidly to eſtabliſh peace and harmony in the place of confuſion and diſſenſion.

The legiſlative authority claimed by parliament over theſe colonies conſiſts of two heads: Firſt, a general power of internal legiſlation; and, ſecondly, a power of regulating our trade: both, ſhe contends, are unlimited. Under the firſt may be included, among other powers, thoſe of forbidding us to worſhip our creator in the manner we think moſt acceptable to him; impoſing taxes on us; collecting them by their own officers; enforcing the collection by admiralty-courts or courts-martial; aboliſhing trials by jury; eſtabliſhing a ſtanding army among us in time of peace without conſent of our aſſemblies; paying them with our money; ſeizing our young men for recruits; changing conſtitutions of government; ſtopping the preſs; declaring any action, even a meeting of the ſmalleſt number to conſider of peaceable modes to obtain redreſs of grievances, high treaſon [360.]; taking coloniſts to Great Britain to be tried; exempting "murderers" of coloniſts from puniſhment, by carrying them to England to anſwer indictments found in the colonies; ſhutting up our ports; prohibiting us from ſlitting iron to build our houſes, making hats to cover our heads, or cloathing to cover the reſt of our bodies, &c. [418.]

In our provincial legiſlatures (the beſt judges in all caſes what ſuits us; founded on the immutable and unalienable rights of human nature, the principles of the conſtitution, and charters and grants made by the crown at periods when the power of making them was univerſally acknowledged by the parent-ſtate, a power ſince frequently recognizen by her, ſubject to the controul of the crown as by law eſtabliſhed) is veſted the excluſive right of internal legiſlation.

Such a right veſted in parliament, would place us exactly in the ſame ſituation the people of Great Britain would have been reduced to had James I. and his family ſucceeded in their ſcheme of arbitrary power. Changing the word *Stuarts* for *parliament*, and *Britons* for *Americans*, the arguments of the illuſtrious patriots of thoſe times, to whoſe virtues their deſcendents owe every bleſſing they now enjoy, apply with inexpreſſible force and appoſiteneſs, in maintenance of our cauſe, and in refutation of the pretenſions ſet up by their too forgetful poſterity over their unhappy coloniſts. Confiding in the undeniable truth of this ſingle poſition, That "to live by one man's will became the cauſe of all mens miſery," they generouſly ſuffered.— And the worthy and very learned Biſhop, who, for ſtrenuouſly aſſerting the principles of the revolution, received the unuſual honour of being recommended by the Houſe of Commons to the ſovereign for preferment, has juſtly obſerved, That "miſery is the ſame whether it comes from the hands of many or of one." [xvi. 86.]

It could not appear tolerable to him (meaning Mr Hooker, author of the Eccleſiaſtical Policy) to lodge in the governors of any ſociety an unlimited authority, to annul and alter the conſtitution of the government as they ſhould ſee fit, and to leave to the governed the

privilege

privilege only of abſolute ſubjection in all ſuch alterations, or, to uſe the parliamentary phraſe, "in all caſes whatſoever."

LONDON.

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A HYMN to the MORNING.

WHile yet the ſun but ſlender light ſupplies,
And day-break trembles faintly o'er the ſkies,
Let me the pleaſing morning-walk purſue,
And waſh my footſteps in the balmy dew;
See the bright curtains of Aurora drawn,
And ſing the glories of th' untolding dawn.
Hail, infant Morn! ethereal radiance, hail!
Ariſe, and Night's retreating ſhades impell;
Purſue the ſable curtain as it flies,
And ſpread thy limpid light o'er all the ſkies;
Thro' the vaſt void diffuſe thy gentle beams,
Glow on the hills, and tremble on the ſtreams!
Come, bluſhing Dawn, with ruddy circles crown'd,
With limpid garments flowing all around;
In majeſty extend thy roſy hand,
And wide o'er nature ſtretch thy orient wand.
See! ev'ry ſtar at thy approach expires,
And, ſtep by ſtep, the ſilver moon retires!
See! languid Nature at thy ſmile revives,
And diſtant far all ſullen darkneſs drives.
To thee the feather'd ſongſters ſtretch their wings,
Strain their glad throats, and ev'ry thicket rings:
With pinions dipp'd in balmy dew they riſe,
Spring at the light, and muſic fills the ſkies;
The row'ring lark ſalutes thy living ray,
And welcomes with her ſong th' approaching day;
As when of old the great Creator ſpoke,
And light refulgent from the darkneſs broke,
Carrolling angels warbled thy applauſe,
And all ador'd the firſt Almighty Cauſe.
But ſee thy orient lamp! the ſun now heaves
His golden curve above the ocean's waves!
Now quite reveal'd to ſight, he rolls on high
His bright circumference along the ſky;
Low earth from far his grateful influence feels,
And ev'ry flow'r its op'ning ſweets reveals;
A rich perfume the flow'ry vallies fills,
And clouds of incenſe roll around the hills;
From the moiſt ball ariſe delightful ſteams,
And cooling vapours ſmoke along the ſtreams.
Heav'n! what a pleaſing proſpect opens round!
Bliſs upon bliſs, and joys on joys rebound!
See! ſunny mountains riſe on ev'ry ſide!
See! lucid ſtreams in gentle torrents glide!
Majeſtic there a goodly foreſt nods;
Here leſſer groves, the Muſes' cheſt abodes.
See! yonder ſun, with unabated force,
O'er heav'ns bright azure holds his flaming courſe:
Thro' amber clouds, around his chariot driv'n,
He rides in all the majeſty of heav'n;
Till, all diſſolving into limpid air,
The painted exhalations diſappear;
Then, quite reveal'd, to ſkies remoteſt bound
He pours, in floods, the vital tide around.
Vaſt are the blazing glories that adorn
The ſplendor of this temporary morn!

But ſoon a brighter morning ſhall ariſe,
And brighter ſplendor glow in purer ſkies;
When the great ſource of light himſelf ſhall ſhine
In glory uncreated and divine.

VISIONICUS.

On NIGHT.

NOW ſunk the ſun, majeſtic Night comes on
And fills, in awful ſtate, her ſpangled throne;
A ſtarry garment round her body ſpread,
Ten thouſand glories rolling round her head.
Soon as grey Ev'ning takes her turn to reign,
And Twilight trembles o'er th' ethereal plain,
A brighter ſcene heav'n's theatre diſplays,
And Night's magnificence excels the day's.
Firſt, glowing *Heſper* lights his fleecy ray,
And gilds the curtains of retreating day;
But, as the ſhades of Night prevail on high,
And gain the full poſſeſſion of the ſky,
In thicker ranks the heav'nly glories roll,
Profuſely ſcatter'd wide from pole to pole:
Bright conſtellations ſpark'le from afar;
Planet on planet crouds, and ſtar on ſtar,
Till, numberleſs, to ſky's remoteſt bound,
An univerſal glitter twinkles round.
See! red *Orion*'s flaming circle burn,
And bright *Arcturus* heav'n's bright cope adorn:
There the fair *Pleiads*, with propitious light,
Shine forth, and beautify the face of night.
See! wide diffus'd, a fleecy radiance ſtain,
With milky ſtreaks, the blue ethereal plain,
Which crouds of dimly beaming ſtars compoſe,
Whoſe feeble luſtre undiſtinguiſh'd glows.
Mean-while, far north, a fluctuating light,
With many colours paints the face of night,
While the rude ſwain, with ſwimming eyes ſurveys
The oft-revolving many-colour'd blaze,
The ſtars glare baleful thro' the waving fire,
And livid inauſpicious rays tranſpire.
But ſee! ſuperior, with majeſtic mien,
Comes bluſhing forward Night's imperial queen,
Sublimely riding, glorious from afar,
High on her ſilent ſilver-axled car,
Or, leaning graceful on a fleecy cloud,
Surveys in boundleſs majeſty abroad,
From pole to pole, o'er all the face of Night,
Diffuſing wide around a flood of gentle light.
Thus, in the abſence of refulgent day,
Let me the glories of the Night ſurvey,
Around in regular confuſion driv'n
Wide thro' the blue immenſity of heav'n;
Their great Creator's Deity expreſs,
Adore his wiſdom, and his pow'r confeſs.

Nov. 17. VISIONICUS.

AD SOMNUM [493.] tranſlated.

COme, gentle Sleep! Image of Death! approach,
And kindly hover o'er my loneſome couch:
How ſweet in ſleep to reſt the weary eye,
Live without life, and without dying, die!

Edin. Mag.

The COMPLAINT: Corydon and Maria.

NOW the moon's feeble light gilds the plain,
And all Nature ſeems ſunk in repoſe,
I'll ſteal from the world's buſy train,
And indulge my ſad ſoul with its woes.

Mild Night on her ſhadowy throne,
In majeſty ſilent now reigns;
The winds to their caverns are gone,
While the zephyr's ſoft whiſper remains.

Sweet Sleep his ſoft mantle now throws
O'er the vacant and pleaſure-cloy'd breaſt;
But the heart that is wounded ne'er knows
The heavenly bleſſing of reſt.

No ſound but my footſtep alone
Invades the dread ſilence of eve;
The owl and the bat too are flown,
And have left me my fortune to grieve.

What horrors all round me are ſpread!
What ſhriek thus alarms me with fear?
Why riſes my hair as I tread!
Why dies that ſad ſound on my ear!

'Tis the voice of ſome care-troubled ghoſt,
Which echo has caught from the tomb,
Where it mourns all the joys it has loſt,
And reluctant ſubmits to its doom.

Avaunt! ye pale ſpectres of night!
Go haunt the grim murderer's bed;
To his dreams bring diſmay and affright;
Let his crimes hover ſtill round his head.

No dread with my purpoſe ſhall cope;
Avaunt! and my ſorrows revere:
The wretch who is widow'd of hope,
Has nothing to wiſh, or to fear.

Whereyon tomb-ſtone, diſplay'd to the view,
Calls the deep throbbing ſigh from my breaſt,
O'erhung by the wide-ſpreading yew,
The aſhes of CORYDON reſt.

Ah! Corydon, pride of the grove,
How loſt is the mirror of youth!
Thy form was the picture of love,
And thy heart was the manſion of truth.

To diſtreſs thou waſt gentle and kind:
'Twas thine to relieve, and to ſave;
And tho' thou wert wild as the wind,
Thou waſt generous, tender, and brave.

To Virtue how dear was thy heart!
And when from her paths thou didſt roam,
Bright Wiſdom her ray did impart,
To recal the lov'd wanderer home.

Soft Friendſhip thy boſom did ſoothe,
And Love crown'd thy hope with ſucceſs;
Thy faults were the errors of youth,
But we never could love thee the leſs.

In life's gaudy bloom how thou fell
A victim to friendſhip and love,
In happier hours I may tell;
But what can my ſorrows remove?

Can

Can the tale of diſtreſs as it flows
From a heart overwhelm'd with deſpair,
Give the wretch a relief to his woes?
Or can ſympathy ſoften his care?

On the boſom of Friendſhip reclin'd,
See Care's aching head how it lies!
No comfort that heart can now find;
In accents how plaintive it ſighs!

How oft it repeats the ſad tale,
To the friend who re-echoes its grief,
Till tears ſympathetic prevail,
And compaſſion affords ſome relief.

Who once was ſo careleſs as I?
No grief did my boſom annoy,
My breaſt never utter'd a ſigh,
Nor my eye ſhed a tear, but of joy.

The wounds that now bleed in my heart,
Can the angel of Death only cloſe;
The grim tyrant has twice thrown his dart,
And twice has deſtroy'd my repoſe.

A maid of celeſtial birth,
Came down from the heavenly abodes;
Her name was MARIA on earth,
But VIRTUE ſhe's call'd by the gods.

How oft my fond heart did rejoice
At the ſight of an object ſo dear!
Methinks I ſtill hear that lov'd voice,
Whoſe muſic once raviſh'd my ear.

Perfections like hers could not ſave,
They were born but to bloom, and to die;
A tear have I dropt on her grave,
And her name is ſtill breath'd with a ſigh.

To join the celeſtial choir,
When Fate the fair maid did remove,
My heart, robb'd of all her deſire,
Bad adieu to the tranſports of love.

To the friend of my boſom I flew,
Tho' hopeleſs to meet with redreſs;
Yet I lov'd him the more when I knew
That he felt for, and ſhar'd my diſtreſs.

All joy from my boſom's now flown,
Nor can Hope the gay viſion reſtore;
The friend of my youth is now gone,
And the nymph I ador'd is no more.

Ye ſhepherds, who ſee my deſpair,
And blame me in grief that I pine,
Your nymphs may perhaps be as fair,
But they are not ſo virtuous as mine.

Your friends may perhaps be as gay;
At the court or the ball they may ſhine;
They may merrily ſing thro' the day,
But they are not ſo faithful as mine.

Nov. 1. ARGENTON.

AD SOMNUM. Another tranſlation.

LIght Sleep! tho' Death's true ſemblance, of my bed
The faithful conſort, thee I ſtill deſire; [life
Come, wiſh'd-for Reſt benign! thus without
To live how ſweet! thus without death to die.

Edin. Mag.

On his WIFE's BOSOM.
By the late Dr DODRIDGE.

OPen, open, lovely breaſt,
Lull my weary head to reſt;
Soft and warm, and ſweet and fair,
Balmy antidote of care;
Fragrant ſource of ſure delight,
Downy couch of welcome night,
Ornament of riſing day,
Always conſtant, always gay!
In this gentle, calm retreat,
All the train of Graces meet:
Truth, and Innocence, and Love,
From this temple ne'er remove.
Sacred Virtue's worthieſt ſhrine,
Art thou here, and art thou mine?
Wonder, gratitude, and joy,
Bleſt viciſſitude! employ
Ev'ry moment, ev'ry thought:
Crouds of cares are long forgot.
Open, open, beauteous breſt,
Angels here might ſeek their reſt.
Cæſar, fill thy ſhining throne,
A nobler ſeat I call my own.
Here I reign with boundleſs ſway,
Here I triumph night and day:
Spacious empire! glorious pow'r!
Mine of inexhauſted ſtore!
Let the wretched love to roam,
Joy and I can live at home.
Open, open, balmy breaſt,
Into raptures waken reſt.

On Cuningham, the paſtoral poet [xxxv. 501.]

YE ſhepherds, ſo blitheſome and gay,
That pip'd and that danc'd on the mead,
No longer ye pipe and ye play,
Your favourite Cuningham's dead.

Ye lambkins that ſkip o'er the plain,
Ye warblers that ſing in the grove,
You endeavour to pleaſe, but in vain,
How vain are your efforts to move!

By the ſide of my Cuningham's hearſe,
I've planted the laurel and bays;
No poet could equal his verſe,
So artleſs, ſo ſoft, were his lays.

How oft o'er thy tomb have I ſigh'd,
Of men and of poets thou beſt!
Like thee would 'twere ſaid I had died,
As happy as thee, and as bleſt!

Oh! Cuningham, ceaſeleſs I'll mourn,
At thy loſs I ſhall ever repine;
My tears ſhall beſprinkle thy urn,
Till my breaſt be as frozen as thine.

AD SOMNUM. A third tranſlation.

OGentle Sleep! tho' juſt like Death,
I wooe thee to my bed:
Come, wiſh'd-for Reſt! — thy balmy breath
Thro' all my members ſhed:
For oh! how ſweet ſuch death and life:
To die without death's fatal knife —
And live when life is fled. A. G.

Week. Mag.

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HISTORICAL AFFAIRS.

POLAND.

"*Warſaw, Oct.* 19. In the conference held laſt month at the King's palace, between the three miniſters and the principal members of the delegation, not only a reconciliation between the party in oppoſition and the King took place, but it was alſo unanimouſly determined to put his Majeſty in ſuch a ſituation, as to enable him to ſupport his dignity. In virtue of this arrangement, "The Republic grants to his Majeſty, by way of indemnity for the loſs of his revenues, 1. An annual income of five millions of Poliſh florins, in which will be included the million deſtined for the maintenance of his guards. Of theſe five millions, three are aſſigned on the treaſury of the ſtaroſties, and the reſt will be taken from the profits of the commerce of ſalt, and on the moſt clear revenues of the public treaſury.' 2. The Republic engages to pay the King's debts, amounting to ſeven millions, which ſhall be diſcharged by bills of credit. 3. The Republic grants to his Majeſty the ſtaroſties of Laniow, Cziern, Czerſk, and Chmielnik, to enjoy them under the title of hereditary poſſeſſions, and to tranſmit them to his family as ſuch. 4. His Majeſty may confer, once for all, four ſtaroſties, according to his choice, with a communicative right. 5. Laſtly, A reimburſement of the money which hath been advanced by his Majeſty for the Republic ſhall be raiſed for him conformably to the note remitted by the Caſtellan Karas." It was at the ſame time agreed, to enhance the fixed revenues of the republic to thirty-three millions of Poliſh florins, and the army to 30,000 effective men. It was alſo agreed, that if theſe important objects could not be definitively determined by the preſent diet, they ſhould be referred to future diets, to be there terminated by a plurality of voices."

"*Warſaw, Nov.* 1. The delegation has at laſt regulated every thing regarding the permanent council. It is to conſiſt of four departments. The firſt, compoſed of two counſellors, one ſecretary, and one copieſt, is to have the charge of all the different concerns which came before the Marſhals of the Crown and Lithuania. The ſecond is charged with what relates to the police, and all the under departments are to bring in their reports to it. The third comprehends the military; the whole power of which is veſted in the Grand General, on condition of bringing all his reports to be examined by the ſtate. The fourth, compoſed of two ſenators, two counſellors, one referendary of the Crown, and one of Lithuania, is to have the care of the correſpondence with foreign powers."

"*Warſaw, Oct.* 19. Beſides every other calamity which has affected this country, there rages one now which is not of ſmall importance. Laſt year an incredible number of mice ravaged Podolia and Walachia; this year theſe animals are not ſo numerous, but there are vaſt quantities of two ſorts of worms, which do full as much damage, by devouring the grain which is ſown, and which has obliged the inhabitants in many places to ſow twice."

"*Kaminiec, Oct.* 15. The great damage done by the worms throughout Volhinia, and the environs of Latyczew and Berdyczew, is incredible: they have not only devoured the corn which has been ſown, but entirely ſtripped the fields of all their verdure; and what is moſt terrible of all, they have been carried into the barns with the reaped corn, and are there making ſuch terrible havock, that we are threatened with a general famine."

RUSSIA.

"*Peterſburg, Oct.* 21. Lt-Col. Dromnitz of the Imperial artillery is juſt arrived here expreſs from the Crimea, with the agreeable intelligence, that Crim Dewlet Gueray, the Turkiſh commander, has abandoned all his conqueſts, and retired with his troops by order of the Sublime Porte to Ockzachow. The Colonel likewiſe adds, that great numbers of the rebel Ruſſians, Coſſacks, &c. are daly flocking to the Imperial Ruſſian ſtandard, (which is fixed up in Bachiſerai, the capital of the Crimea), to receive the benefit of a general pardon and amneſty publiſhed by the Ruſſian commander in chief."

"*Peterſburg, Oct.* 23. The following are all the particulars which are yet known regarding the taking of Pugatſchef. Lt-Col. Michelſon and Major Durſ having defeated that rebel on the 15th of July, and delivered the town of Caſan, they purſued him through the deſerts of Saratoff, beyond the lines of Czaritchen to Chernan, where they defeated

feated him for the ſecond time on the 25th of Auguſt, and routed him ſo thoroughly, that he had much ado to ſave his life with 100 men, though his partiſans were aſſembled in vaſt numbers in thoſe parts. Pugatſcheff ſwam acroſs the Wolga; but the Coſſacks of Jaik, who had been made priſoners by the above-mentioned officers, aſked their lives on condition of delivering their chief alive into their hands: in conſequence of which, an officer was detached with theſe Coſſacks, and on the 15th of September Pugatſcheff was brought to the head-quarters of Count Panin, at Sieberſk, from whence he will be carried to Moſcow."

"*Peterſburg, Oct.* 28. They write from Moſcow, that Pugatſcheff is daily expected there. He keeps a melancholy ſilence, nearly approaching to deſpair: he is very narrowly watched, and too cloſely confined, in an iron-cage, to attempt any thing againſt his own life, which it is thought he intends. He endeavoured to ſtarve himſelf, by refuſing all manner of nouriſhment; but his keepers have found means to force him to eat. Some days before this rebel was ſeized, he was in a diſmal ſituation; for want of other ſuſtenance he fed upon roots, and had juſt killed his horſe for his ſupport."

SWEDEN.

"*Stockholm, Oct.* 7. For many years paſt the ſcarcity of grain in this kingdom has been exceſſive. At preſent, by the attention of the King, all ſorts of grain are in ſuch great abundance, that notwithſtanding the conſiderable exportation now making to Holland, the oppoſite extreme is dreaded, and that the too low price will be prejudicial to the farmers. Corn becomes cheaper every day; and for this reaſon the cultivators are deſirous that the government ſhould take ſome meaſures, that what contributes to the welfare of their fellow-citizens may not become a loſs to a claſs of people ſo valuable in all nations."

GERMANY.

"*Hamburg, Oct.* 25. Commerce and deſpotiſm can never agree together in one country. The northern Alexander, however great a warrior and politician he is, his views to render his barren dominions commercial, will never ſucceed, ſo long as he extends deſpotiſm to the higheſt degree; for who will intruſt his property in a country where ſo powerful and deſpotic, and ſo lawleſs a prince reigns? For inſtance, a marine company was eſtabliſhed in his dominions within theſe three or four years; as ſoon as he found the company ſucceſsful, and paying annually a dividend of 12 per cent. he immediately ingroſſed as much of the ſtocks as he could, and took about two thirds of the whole into his own hands. But what was the conſequence? the merchants finding, that after all their labour the prince took the fruits of their harveſt, they reſolved to deſtroy it entirely; and Mr de L—tt—t, the preſident of that company, abſconded a few days ago, with the whole treaſure and beſt effects of the company; the ſtocks of courſe loſt their credit, and the company is entirely ruined."

"*Konigsberg, Nov.* 4. The ſickneſs among the cattle has ſpread here to a great degree. The chamber of war, and of the Pruſſian domains, have publiſhed the following remedy, both as a cure for the ſick cattle, and a preſervative for the healthy, viz. As the ſickneſs is attributed to too much heat and dirt in the ſtables, &c. the cattle are to be taken out and bathed in freſh water; and where that is not convenient, water is to be thrown over them; afterwards they muſt be exerciſed; the ſick beaſt then recovers its appetite and ſtrength. This remedy, however, will not take effect, unleſs the ſtables are kept perfectly clean. The ſame ſickneſs has broken out at Frankfort on the Oder, where the like remedy has been recommended."

FRANCE.

The old parliaments [xxxiii. 100.] are re-eſtabliſhed.—— The following is a copy of the letter addreſſed by the King to the members, dated, Fountainbleau, Oct. 21. "Having judged it proper to revoke the order which was ſent you to retire to —— [xxxiii. 101.], I write you this letter, to tell you to be at Paris the 9th of November next, in your houſe, there to wait my orders. Upon which I pray God to take you, Sir, into his holy keeping. LOUIS."

"*Fountainbleau, Nov.* 1. All the meaſures of the new King ſeem to point at popularity.—Every miniſter here, in the different departments, ſeems to ſtrive to out-do the others, in contriving means to eaſe the people, and increaſe the real riches

riches of the ſtate; but none has given proof of ſo much ability in this reſpect as the new comptroller-general: firſt, by the ordinance for a general liberty of the corn-trade; and, ſecondly, by the plan for reducing all taxes to two heads, viz. a land-tax and a poll-tax. This plan is thought to be his, although publiſhed in the name of another. It is calculated to annul entirely the general farms, yet provides in another way for the farmers-general. Tobacco and ſalt will therefore be no longer monopolies, after the preſent ſtock on hand of theſe articles ſhall be exhauſted. I cannot ſay how much ſalt there may be, but every body ſeems to agree, that there is now in France a ſtock of tobacco for ſeveral years; ſome ſay for five, ſome for ſix, and ſome for even a longer time. I have little doubt of the quantity being very conſiderable; ſince it is in this country with ſnuff, as in England with wine; the older the better; and the farmers-general could never be able to pay thirty millions of livres per ann. to the King for the excluſive trade of tobacco, if they were not attentive to keep up the reputation of their manufacture; which they can only do by having immenſe ſums locked up in dead ſtock, to keep till it firſt mellow in the leaf, then in the carrot, and the longer kept after it is ground into ſnuff the more it is eſteemed.—Mr Turgot calculates, that France may be made entirely independent of Great Britain in this reſpect, and by conſuming the preſent ſtock on hand, no new ſupplies whatever will be wanted till ſuch times as a ſufficient quantity can be raiſed in the King's dominions to ſupply the after-calls.—It would ſeem, therefore, that the coloniſts in Britiſh America have had ſome foreſight of what is likely to happen in France, when they reſolved to diminiſh their tobacco-plantations, which they would otherwiſe be obliged to do were this plan to take place, ſince the thirty thouſand hogſheads which now go yearly to France, would never find vent in the other countries of Europe."

"*Paris, Nov.* 14. On the 12th of this month, in the morning, the King, after hearing maſs in the Holy Chapel, went to the Grand Chamber of the Parliament, preceded by Monſieur, and the Count d'Artois, the Duke d'Orleans, the Duke de Chartres, the Prince de Condé, the Duke de Bourbon, the Prince de Conty, and the Count de la Marche, Princes of the Blood.—The Dukes and Peers, the Grand Officers of the Crown, and other perſons having ſittings in the Bed of Juſtice, went before the King, who was followed by M. de Miromenil, Keeper of the Seals, and the Magiſtrates of the Council, who accompanied him. His Majeſty having ordered them to take their ſeats, declared, That he intended to re-eſtabliſh the Members of the old Parliament in their functions; and the Keeper of the Seals having more amply explained the King's pleaſure, his Majeſty ordered the Grand Maſter of the Ceremonies to go and conduct the Members of the old Parliament from the chamber of St Louis, where they were all aſſembled by virtue of the King's order. They then took the ſeats they uſed to occupy in the Grand Chamber at the holding of the Beds of Juſtice; after which the King cauſed the following edicts to be regiſtered. 1. The edict for the re-eſtabliſhment of the old Officers of the Parliament. 2. The edict for the creating of a Keeper of the Seals of France in favour of M. de Miromenil. 3. The edict for the ſuppreſſion of the offices which had been created in the Parliament and Superior Councils. 4. An ordinance. 5. The edict for the re-eſtabliſhment of the Grand Council. 6. The re-eſtabliſhment of the Cour des Aydes of Paris. 7. The edict for re-eſtabliſhing the Cour des Aydes of Clermont Ferrand. 8. The edict for ſuppreſſing the offices of Advocates of the Parliament, and the re-eſtabliſhment of the commonality of Attornies. 9. An edict, ſetting forth the power of the Preſidial Courts. 10. The edict ſuppreſſing the Superior Council of Arras, and re-eſtabliſhing the Provincial Council of Artois."

"*Rouen, Nov.* 12. At the inſtant I ſit down to write, I am almoſt prevented going on, by the acclamations of *Vive le Roy*. This is occaſioned by the Duke of Harcourt, Governor-General of this Province, coming from the reinſtating our old parliament, and the Court of des Comptes or Exchequer. The members of the now ſuppreſſed parliament, to the great joy of this province, have been ordered to withdraw, and are gone to hide their ſhame, and our ſorrow, in their country-ſeats; where they may be more properly employed, than in the adminiſtration of laws, which they betrayed, to ſerve their own ſelfiſh views. I am happy to have it alſo in my power

power to assure you, that the Supreme Council of Artois is suppressed, and gives way to the re-establishment of what was called Les Estats, or National Parliament."

"*Paris, Nov.* 18. On Monday last the First President d'Aligre opened the Audience of the Great Chamber with a very pathetic and eloquent speech, setting forth, That the Parliament established by the laws, united for the good of the people, and proof against all venality, had always triumphed over their aggressors, who had attempted in vain to divide them, &c.—Then the Syndic of the Advocates set forth the firmness and constancy of the ancient magistracy; the spirit, union, and concord, which their example suggested to their body; the success with which their perseverance was rewarded, and the triumph with which a monarch sent from heaven had just crowned them; and concluded with demanding an arret, by which all members of their body who had suffered themselves to be seduced, either by interest, or by the threats of M. de Meaupou, to plead before his sham parliament, should be declared incapable of pleading, or of being consulted for the future, and be proscribed for ever without any appeal; and an arret was passed accordingly." [xxxiii. 156.]

"*Paris, Nov.* 17. The 12th instant, after the installation of the parliament of Paris, the Duke de la Vrilliere sent orders to all the Governors of Provinces, where there are Parliaments, Chambers of Accounts, and Cours des Aides, to be at their governments, where they are to wait the King's orders to install all the old courts; all the members which composed the same having received lettres de cachet to be there, and every thing is to be restored to its primitive state on the 25th of this month."

"*Paris, Nov.* 18. The following is an account of the regulations made by M. Turgot, comptroller-general of the finances, to prevent the monopoly of corn, and keeping the markets well supplied at a low price. Every parish is to deliver an account of the product of the harvest, the number of its inhabitants, and what quantity of corn they consume. This calculation is delivered to the minister, who sees which parish is in want, and which has an over-abundance of corn; and bringing them all on an equality, he fixes one price, and it is put up in all the towns and villages where the markets are held. All farmers and owners of corn are obliged to furnish the markets in their neighbourhood.—In three months time the minister was informed that there was twice as much corn as was necessary for the consumption of the nation; and accordingly the price of bread fell to six sols per loaf of four pounds four ounces; and as the Lords and other people cannot hinder the corn from being brought to market, there being officers to prevent that, it is hoped the said necessary article will soon fall to four or even three sols per loaf of four pounds four ounces."

"*St Omer's, Oct.* 25. Smuggling between France and North America goes on apace at present. All the manufacturers at Lyons, Nyme, and Nantz, work night and day to load American ships. This you may depend on as real truth. A French officer of my particular acquaintance, just come hither with his regiment from Brest and Port l'Orient, assures me, that French India goods rose 20 per cent. in one day at Port l'Orient, by the arrival of some American ships in that port. What a strange set of men they must be, to remit to France all their ready money, and to keep their creditors in England without a sixpence! Pity that government should not watch them narrowly on their return to America, and seize them."

"*Bayonne, Nov.* 16. Our deputy of trade at Paris has just sent us the copy of a memorial which the court of England has caused to be delivered to Count de Vergennes, that orders may be given to all owners of vessels and French privateers trading to America, not to approach the English colonies; as the ships of war stationed in those seas will receive orders, if they meet with them, to inspect them, and if they find more merchandise and manufactures than are for the consumption of the colony to which they are bound, they will be seized, and the profit given to the vessel that takes them; that the great quantity which has already been exported to the colonies, has encouraged the Americans to persist in their disobedience, from the hopes of being always supplied in this manner; that his Britannic Majesty does not suppose the French minister would countenance this illicit trade, which proceeds only from the speculations of the merchants, who seize all opportunities of gain; and that those who shall continue this

this traffick may take notice, that they have been informed of his Britannic Majeſty's intentions, who only requires an obſervance of the treaties, and would not ſend any orders before he had acquainted his Moſt Chriſtian Majeſty, that he might ſignify, that for all offences of this kind, the loſs will fall ſolely upon thoſe who engage in them, without becoming a national concern, or diſturbing the union and concord which ſubſiſts between theſe two powers. This copy has been diſtributed upon Change to all owners of veſſels and privateers, that they might not pretend ignorance, it being confirmed by his Moſt Chriſtian Majeſty."

SWITZERLAND.

"*Switzerland, Oct.* 24. On the 10th of laſt month, an earthquake was felt at the town of Altdorff, the capital of the canton of Uri, which ſpread conſternation and alarm through all its environs. There were in the morning three ſhocks, the firſt of them at three o'clock, the ſecond at nine, the third at eleven, which though progreſſively more ſenſible, did not occaſion any damage. — About four o'clock in the afternoon, the motion of the earth recommenced, with ſuch violence, that the great church ſuffered conſiderably. The ſteeple was parted in two. The dome of another church was ſplit, and fell to the ground. A great number of houſes were thrown down; and the town-houſe was greatly damaged. — The pariſh church of Stirnaxen was entirely deſtroyed. Enormous maſſes of ſtones were thrown from the mountains ſituated along the Lake of the Four Cantons, and the whole country would have been laid waſte if another ſuch a ſhock had happened. — The next day, about midnight, another ſhock was felt, which at three o'clock was followed by a ſecond more violent. Public prayers and proceſſions were immediately ordered, to implore the clemency of Heaven. — The earth hath continued ſince to be agitated; and the inhabitants, filled with horror, are retired into the country, where they lie under tents."

ITALY.

"*Rome, Oct.* 8. The 5th of this month the Cardinals, twenty-ſeven in number, after attending the uſual acts of devotion, went in proceſſion, two and two, from the church in the Vatican to the Conclave, preceded by two companies of horſe, and having the Papal Croſs carried before them. Two more Cardinals entered the Conclave the ſame evening."

"*London, Nov.* 10. Several letters from Rome, and other parts of Italy, all agree in the account of an extraordinary woman at Rome, Thereſa Senſari, a gentlewoman of about ſixty years of age, a church-going devotee, and a widow of a ſmall, though ſufficient fortune; has no family, but one woman-ſervant. This gentlewoman foretold, that the late Kings of Sardinia and France, likewiſe the late Pope, ſhould die at the three different periods of time which ſhe marked down; and told every body with frankneſs the day that each would die. At firſt, people looked on her as a mad woman, and ridiculed her in every company; but when the King of Sardinia died on the very day ſhe had foretold, people began to give credit to her prophecy. This woman ſtill perſiſted that the King of France would die on the day that ſhe had before mentioned, and which, to the aſtoniſhment of every body, happened exactly on the very day; for ſhe had ſaid to ſeveral perſons, "The King of France will die this day," (the day it happened). This did make a great noiſe. Cardinal Albani then ſent his coach to fetch her to him, if ſhe pleaſed to come: ſhe would not accept of his coach, but came immediately a-foot. The Cardinal aſked her, "Whether it was true that ſhe had foretold ſuch ſtrange events?" She replied in the affirmative. "Pray, Madam" ſaid the Cardinal, "how came you to know ſuch things? for it is incomprehenſible to me how you ſhould tell ſuch events."—"Wonder not, my Lord," ſaid ſhe; "for God knows every thing, and it is from him alone that I know it." The Cardinal went immediately to the Pope, and acquainted him with every particular; when his Holineſs deſired to ſpeak with her. She went immediately; and the Pope took her gently by the hand, and ſaid, "My bleſſing on thee, honeſt woman; I am told that you have knowledge of future events, and that you have foretold the deaths of the King of Sardinia, the King of France, and mine; and the two firſt you have gueſſed right at."—"May it pleaſe your Holineſs, it was no gueſs, but I was as ſure of it as I am here; for God told me preciſely to a day."—"Good woman," (ſaid the Pope, ſtill holding her hand),

"I muſt not be put off with ſuch ſtories; I declare before my friends here, that I will do you no manner of harm; nay, I will reward you, if you will tell me the truth." To which ſhe anſwered, "May it pleaſe your Holineſs, I have told you nothing but the truth, ſo help me God." The Pope then ſaid, dropping her hand, "Is that all you can ſay for yourſelf?"—"That's all," ſaid ſhe, "and your Holineſs may reſt aſſured it will be as God told me."—"Well then, good woman, you ſhall go to and remain in priſon till then; we ſhall know whether you are a good or a bad propheteſs." The Pope then ordered her to be impriſoned in the caſtle of St Angelo, where ſhe remains to this day. She was not in the leaſt diſmayed at her ſentence; and when coming out of the room, ſhe only ſaid, "God's will be done." The Pope gave orders that proper care ſhould be taken of her, and to let her want for nothing. She has been viſited by vaſt numbers of people of every denomination, and they never have heard her complain of her ſituation, ſhe preſerving the ſame tranquillity ſhe ever did, and ſtill perſiſts in her former ſtory.—The Pope died the very day ſhe foretold.—She has often been aſked by ladies and gentlemen at divers times, whether ſhe could foretel when ſhe would be releaſed; and ſhe ſaid, "No; God have not told me yet." The people at Rome are in great expectation to know what the new Pope will do with her."

SPAIN.

"*Gibraltar, Oct.* 10. An engagement has juſt happened off Oran, between a Spaniſh man of war of forty guns, a frigate of thirty, and a ſquadron of Algerine corſairs, conſiſting of one ſhip of thirty-two guns, two xebeques of twenty-four guns, and four from eighteen guns to twelve. The Spaniſh ſhips were bound for Barcelona, and having their ports hauled cloſe, were miſtaken by the corſairs for two merchantmen, and in conſequence of the miſtake they gave chace, and fired ſeveral guns at the Spaniards before they diſcovered themſelves; when two of the ſmaller xebeques were ſoon ſunk by broadſides from the Spaniards: the large ſhip maintained the fight for ſome time, but was at laſt taken, and the others made their eſcape."

"*Rome, Oct.* 15. We learn from Madrid, that the differences ariſen between Spain and Portugal have been accommodated by the ceſſion which the latter hath made to Spain, of the iſland of St Saveur."

BARBARY.

"*Leghorn, Oct.* 5. The Engliſh conſul who reſides at Genoa, wrote a letter to give notice to all the Engliſh captains who were going to leave this port, to be upon their guard againſt the Algerines, as thoſe barbarians had broke the peace with Great Britain."

"*Cadiz, Oct.* 11. From the coaſt of Morocco we have advice, that an Engliſh ſhip, eſcorted by a frigate, arrived at Tangier the beginning of Auguſt, and had brought back Sidi Tahar Fenis, whom the Emperor, ſome time ſince, charged with a commiſſion for England. His Britannic Majeſty hath, on this occaſion, ſent to the Mooriſh prince a preſent, which conſiſts of nineteen mortars, with their carriages, 2850 bombs, thirty iron cannons with their carriages, likewiſe four cheſts of matches, 3200 bullets, and twenty-five bales, containing pieces of ſilver plate, mathematical inſtruments, ſabres, fuſees, china, woollen cloaths, linens, and divers other effects. Sidi Tahar Fenis hath brought, beſides, two braſs cannons twenty-four pounders, which were recaſt in England from ſome old cannon out of the Emperor's arſenal."

BRITISH NORTH AMERICA.

The following act of the aſſembly of Georgia was aſſented by the Governor of that province, at Savannah, June 20. 1774, viz.

An act declaring, That to murder any free Indian in amity with this province, is equally penal with the murdering of any white perſon; and that to reſcue a priſoner committed for ſuch offence is felony.

Whereas it has been repreſented, That ſome Indians in amity with this province have been barbarouſly murdered, to the great ſcandal of ſociety, and the danger of involving this province in a bloody and expenſive war; and there is reaſon to believe, that ſeveral ill-diſpoſed perſons have not conſidered ſuch inhuman actions in a proper light, but, being influenced by the ill-grounded prejudices which ignorant minds are apt to conceive againſt perſons differing in colour from themſelves, and unaware of the conſe-

quences, have rather looked on thoſe murders as meritorious: To diſcourage, therefore, as much as may be, ſuch unchriſtian-like and cruel practices, and to explain and ſet forth the great danger thereof, it is declared, by his Excellency Sir James Wright, Bt, Captain-General and Governor in Chief in and over this his Majeſty's province of Georgia, by and with the advice and conſent of the Hon. the Council and Commons Houſe of Aſſembly of the ſaid province, in general aſſembly met, and by authority of the ſame, That to murder any free Indian in amity with this province, is, by the law of the land, as penal, to all intents and purpoſes whatſoever, as to murder any white perſon.

And to the end that all perſons may know the conſequence of reſcuing any priſoner committed for the murder of any free Indian in amity with this province, it is alſo declared, That by the law of the land any perſon reſcuing any ſuch priſoner ſo committed, is guilty of felony.

British East Indies.

"*Extract of a letter from Bombay.* I cannot forbear tranſcribing part of a letter which I received from Baſſora, near the Gulf, viz.

"Poor Baſſora has ſuffered very much from the late contagion: from being a very populous city, it is almoſt depopulated.

It is ſuppoſed not leſs than 200,000 perſons died of the plague here and in the neighbouring villages; a greater calamity than that was which happened to it in 1691, when 80,000 periſhed by the ſame dreadful viſitation. A few days before the plague ceaſed, which was the 25th of May, the deaths every day were from 5 to 7000.

They buried a great many in their own houſes, and the ſtreets and the roads were univerſally dug up for graves to inter the unfortunate victims. A moſt diſmal ſpectacle the town afforded indeed! We dread the conſequences of the approaching ſeaſon, when, if the weather ſhould be hot, a return of the plague may be expected.

This fatal diſtemper had ſcarce left us, when the town was attacked by the Chaub; who, after having done what damage he could, obliged the Turks to pay him down a handſome ſum of money to retire with his fleet. To complete our misfortunes, we have had an inundation, which laid the country hereabouts under water, and occaſioned more ſickneſs.

Never were the natives of any place ſo diſtreſſed, in a manner that can ſcarce be deſcribed, as the people of this place, with one misfortune after another. We hope, however, to ſee better times, as the waters are abated, and the town begins to look more chearful, being cleared of the dead bodies that were buried in the ſtreets, having been ſince dug up and carried away."

England.

Counſel were heard before the court of king's-bench, Nov. 15. for and againſt a writ of error in the great cauſe between Mr Fabrigas and General Moſtyn [xxxv. 358.] —— Mr Buller, for the General, urged, That his client was in no way tied down to the law of England; but being created by the King, with particular powers, was only amenable to the law of the place in which he preſided; that he was not only a judge of civil, but criminal matters; and as there was no council in the iſland, the power of impriſonment was certainly veſted in the Governor; and the admitting ſuch power muſt place his client in the ſituation of a man that had only put the law in execution, however ſeverely the effect might have been felt by Mr Fabrigas: but that, even upon the grounds which it had been put upon, there was an irregularity in the proceeding; for, by the Engliſh law, a bill of indictment ſhould have been preferred in the place where the cauſe of action aroſe, which had not been done. He quoted ſeveral law-authorities, which made in ſome meaſure for the proceedings. But they were anſwered by Mr Peckham, who replied to all Mr Buller's points. He obſerved, That if a king had a power by any grant to give particular privileges to particular men, arbitrary power would be without bounds; for in ſuch caſes there could be no controul over any high-handed action; the greateſt abſurdity appeared upon the face of even a ſhadow of ſuch uncontrouled power; that the King himſelf muſt ſubmit to the written law, and conſequently had not a power to erect a court of juſtice unknown by act of parliament. If the Governor of Minorca could ſend any man to priſon at his pleaſure, without a cauſe, without even a

a hearing, there to be fed with bread and water, to be denied the company of his wife, family, and friends, and not to know his crime, how was ſuch an unfortunate ſufferer to proceed? Was he to get redreſs in Minorca, where the aggreſſor was judge and jury? Certainly not. It was in the King's courts that the King's ſubjects were to be protected. — He was replied to by Mr Buller. — The court agreed to conſider the matter, and give their opinions on a future day.

A grant paſſed the great ſeal, Nov. 15. of an annuity to William Eden, Eſq; of 400 l. per ann. payable quarterly, out of the four and a half per cents collected in the Leeward iſlands.

On the 11th of November counſel were heard before the court of king's bench, on a ſpecial verdict, in an action, Alexander Campbell, Eſq; a merchant in the iſland of Grenada [xxxv. 442.], plaintiff, and the King defendant.

The cauſe of action was on account of four and a half per cent. raiſed by his Majeſty on the export-produce of the ceded iſlands by virtue of his royal prerogative, declared by a proclamation, dated October 1764 [xxvii. 117.], and iſſued by General Melville, the then Governor; as the queſtion before the court was, Whether the King, by his prerogative, had a right to levy that duty?

As the queſtion of law had before undergone two very full and learned arguments, that of Mr Attorney-General was in a great meaſure directed in combating the leading propoſitions maintained by the oppoſite counſel. But the abſtract here given is confined to ſuch parts of the argument as were maintained on general, ſuppoſed conſtitutional, principles of law and policy.

His firſt propoſition was, That all conqueſts, as ſoon as made, immediately veſt in the ſupreme power, which in this country is compoſed of King, Lords, and Commons; that this maxim, as applicable to every government, was a fundamental one, eſtabliſhed by the law of nations; that conqueſt included equally property and dominion; that until the ſupreme legiſlature did directly interpoſe its authority, this power was of courſe exerciſed by the King, in the fulleſt and moſt extenſive manner, though yet ſubordinate to, and controulable by the ſupreme power; that to property and dominion being thus temporarily lodged in the crown, any deſignation of either could not be altered, reſcinded, or controverted, till what was ſtill ſupreme was rendered ſubordinate by the direct interference of parliament.

To ſhew that the property of the ſoil and the dominion were inſeparable, in every inſtance, from conqueſt, unleſs otherwiſe provided for by treaty or capitulation, he quoted Du Bartas, and other writers; and relied chiefly on two precedents in the annals of our country; one in relation to Surinam, taken from the Dutch; the other, in removing the French ſettlers entirely from the iſland of St John's, after the late peace; both of which, he ſaid, were undeniable proofs, that the property of the ſoil accompanied dominion, and that both were inſeparable from conqueſt.

Having thus endeavoured to prove, that from the firſt day of the conqueſt till the ſupreme legiſlature ſhall interpoſe its higher authority, the acts of the crown carry in them all the efficacy of the acts of the parliament, and that the conqueſt having veſted in the parliament both the ſoil and dominion, he drew this inference, that every regulation reſpecting one, and every deſignation reſpecting the other, were final and concluſive, in reſpect of all others but the parliament, whether it were exerciſed in levying money on them to provide for their defence, or in giving them a conſtitution ſuited to their preſent exigencies and abilities.

He next proceeded to ſtrengthen his argument, by inſtances drawn from the conqueſt of Ireland. He contended, That King John was only a feudatory prince to his father Henry II.; that Ireland was always deemed part of the realm of England; that, conſequently, the ſupreme dominion veſted in the Engliſh legiſlature; and that, although the particular mode of government eſtabliſhed in that country might be legal and conſtitutional, the dernier ſuperintendence and controul, either in confirming the form of government already eſtabliſhed, or framing a new one, ſtill remained with the Engliſh parliament.

He obſerved, that thoſe general arguments applied equally to every act of colonization, or the ſettlement of uninhabited countries, as to ſettlements founded in conqueſt or ceſſion. To ſupport this doctrine, he referred to the duty of two and a half per cent. levied by prerogative on Virginia in 1676; and purſued the ſeveral ſteps taken in that affair, till

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it was finally decided in favour of the crown, in the latter end of Charles II.'s reign. He likewiſe referred to the determinations reſpecting Barbadoes and St Chriſtopher's, to prove, that the acts of the crown were uniformly received and underſtood to be the acts of the legiſlature, thus ſubordinately, though fully and conſtitutionally, exerciſed.

He next proceeded to take notice, that it had been greatly relied on, by the gentlemen on the other ſide, that as ſoon as a conqueſt is made, the laws of England of courſe become the laws of that country, at leaſt between Britiſh ſubjects.—This, he ſaid, could not poſſibly reach further than the laws of property, not to political government, becauſe it would lead to this inevitable abſurdity, of preſuppoſing a legal government before any was given; adding, that no political regimen could be derived but from the parliament, or the crown; the former in a ſupreme, the latter in a ſubordinate manner.

From all which he drew theſe concluſions:—That the ceded iſlands did politically veſt in the Britiſh legiſlature in February 1763, the time of ſigning the definitive treaty; that the ſoil and dominion being then veſted in the parliament, both by conqueſt and ceſſion, became the political and real property of the parliament; that the King, as an act of duty or office, was obliged, in his ſubordinate capacity, to give them ſuch a government or conſtitution as he thought moſt applicable to their ſituation and circumſtances; that to ſupport either, it was neceſſary that he ſhould make them contribute particular ſums out of their real property, profits, and induſtry; and that, conformably to thoſe principles of policy, executive legiſlation, and juſtice, his Majeſty was authoriſed, as acting in the above-mentioned ſubordinate capacity, to iſſue his letters-patent to his Governor and Commander in Chief, Mr Melville, and order them to be publiſhed by proclamation the 7th of October 1764; under which authority, the ſubject of the preſent action, as ſtated in the ſpecial verdict, was levied.

Serjeant Glynn, in anſwer, ſet out with obſerving, That the preſent queſtion involved in it two points full of great and important conſequences; the firſt, relative to the general principles maintained on the other ſide; and the other, reſpecting the particular application of them to the matter immediately under the conſideration of the court.

The indefinite, unlimited power of taxation, property, and dominion, which his learned friend ſuppoſed to have veſted in the ſupreme power on conqueſt or ceſſion, was not an object, he ſaid, of his immediate inquiry: it was enough for him, that no ſuch power reſided in the crown; and if it had, that it was on the preſent occaſion improperly and unconſtitutionally exerciſed.

To prove the firſt part of this propoſition, he quoted Selden, as a very high authority, and as one of the firſt conſtitutional lawyers this country ever produced, againſt the precedent reſorted to by Mr Attorney-General, in relation to Virginia, and ſome of the other colonies in North America. And as to its determination in 1676, the authority derived from ſuch a deciſion could not be very weighty, when the temper of the court, and the general diſpoſition of thoſe in power at that period, were properly conſidered; and added on this head, that if a precedent ſo procured and eſtabliſhed was to govern, ſeveral of thoſe ſince judicially reprobated and condemned, might with equal juſtice be relied on, ſuch as that for raiſing ſhip-money in the reign of Charles I.

He contended ſtrenuouſly, that no ſuch power as that now claimed could poſſibly reſide in the crown, without reſorting to principles directly repugnant to the conſtitution. A ſubordinate power cannot be abſolute, it is a contradiction in terms; becauſe a ſupreme power in the laſt inſtance, preſuppoſes, that this ſubordinate power is limited and reſtrained in its exerciſe, which at once deſtroys even its temporary ſupremacy. But, ſaid he, every argument built on ſuch an abſurd hypotheſis muſt fall to the ground, when it is conſidered, that every act of the King is deemed an act of execution, not of legiſlation. It is a vital principle in the conſtitution, That he can enforce what is already enacted, but he can enact nothing. It is indeed a clear principle of law, derived from cuſtom and uſage, That he can appoint governors, and erect courts of juſtice; but it is equally certain, that he cannot inveſt the governor with any power deſtructive of the rights of the governed; nor, when the courts of juſtice are once eſtabliſhed, can he pretend to direct them what rule of

of law they ſhall proceed to determine.

He next proceeded to ſhew, that the power of the crown, taking it in the moſt favourable light, could be conſtrued to extend no further than the affecting of a right: it is not an authority reſident in the crown, which may or may not be exerciſed at the King's direction or pleaſure; on the contrary, it is an executive act of duty, of ſupreme magiſtracy, which he cannot neglect without a manifeſt breach of truſt. Reſidence in any country belonging to the realm of Great Britain, however acquired, founds a juſt claim to the protection of the laws: to with-hold them would therefore be injuſtice; to grant them, no more than a ſimple act of legal execution and conſtitutional obligation. If then the laws of England extended to thoſe iſlands, and that the inhabitants were intitled to demand their protection as a poſitive right, it will reſult of courſe, that the King could not, under any colour of legal prerogative, levy a tax on them by his bare proclamation. He further ſtrengthened this part of his argument, by referring to the manner in which the town and marſhes of Calais were governed, from their conqueſt in the reign of Edward III. till they were wreſted from us in the time of Queen Mary, as a precedent fully in point; and laid a very proper ſtreſs on the diſtinction conſtantly adhered to by the ancient Kings of England, reſpecting the difference held between thoſe territories in France which came by deſcent or marriage, and the town and marſhes of Calais, which were held by conqueſt, and were conſequently intitled to the laws of the conquerors. In ſome inſtances, indeed, this idea was carried ſo far, that during the whole reign of Henry VIII. writs were iſſued and directed to the inhabitants of Calais to elect two repreſentatives to ſerve in parliament.

On the other part of the propoſition, ſuppoſing ſuch a power as that contended for to reſide in the crown, that nevertheleſs on the preſent occaſion it was improperly and unconſtitutionally exerciſed. The argument he made uſe of, ſhortly ſtated, was this: Allowing that the King had an undoubted right, any time from the date of the conqueſt or definitive treaty, till he gave them a civil government and conſtitution, to levy the four and a half per cent.; yet he did not do it; for Mr Melville's commiſſion bore date in July, and the letters-patent were not publiſhed till the October or November following; conſequently a right to exerciſe a power within a certain period, muſt ceaſe the inſtant that term is expired. — *The judgement in our next.*

On the 21ſt of November, the Attorney and Solicitor General moved the court of king's-bench for judgement upon the printers of the Public Advertiſer and of the Morning Chronicle, in conſequence of a verdict obtained againſt them laſt ſummer, for printing a letter ſigned *A South Briton* [106.]. Mr Serjeant Glynn, in defence of the former, alledged his being in the cuſtody of the Houſe of Commons Serjeant at Arms when the paper was printed; and produced an affidavit in his exculpation, by which it appeared, that after the foreman of the jury had brought in the verdict which he had written down, "Guilty of publiſhing the paper only," upon being told that ſuch a verdict could not be received, and aſked if they found "Guilty" generally, he anſwered "Yes," without conſulting his brethren, ſeveral of whom had declared, that they did not mean to give a general verdict of Guilty. Lord Mansfield ſaid, this affidavit was very improper, and ought not to have been made.

In defence of the printer of the Morning Chronicle, for the ſame offence, his counſel, Mr Harding, endeavoured to ſhew, that the author of the paper in queſtion, though a perſon of Jacobitical principles, and a miſerable writer, had only treated of an hiſtorical and political ſubject, in which he had made uſe of ſuch ridiculous, abſurd arguments, as had occurred to him; that political writers of all ſorts had diſcuſſed the principles of the Revolution with the greateſt freedom and latitude of argument; that for his own part, as he adored and revered the memory of the great prince who brought about the Revolution, he believed the more his public and private character were ſcrutinized, the brighter they would appear; that the author had only attacked K. William and Q. Mary in their private characters, or as diſplayed in their public conduct. Speaking of that part of the libel which was ſuppoſed to abuſe the preſent government, he ſaid, that every man had a conſtitutional and legal right to give his public opinion on the public meaſures of miniſters of ſtate; that however the letter-writer had de-

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rived all our national evils from the Revolution only; that what was a libel would not bear to be ſtrictly defined; that its complexion differed in different ages, and its nature was to be determined by the pulſe of the times, the ſtability of the government, and the political prejudices and paſſions of men, which might make that publication dangerous and inflammatory at one time, which might be harmleſs and innocent at another. Mr Harding obſerved, that the idea of a ſtate-libel was of novel invention, unknown to the common law; that the epithets Lord Coke had given it in his definition, were taken from the ſtatute againſt the publiſhers of falſe news; and that in his writings on the ſubject, he ſeemed to have only ſtirred up the dregs of the Star-chamber cauldron. He added, that whatever might be the intention of the writer, this publication was ſo ſtupid and execrably futile and abſurd, that it was paying it too great a compliment to ſuppoſe it capable of exciting the leaſt ſpark of diſaffection in the breaſt of any one man in the kingdom; that it could not tend therefore to ſedition; for he that can underſtand it, could not be hurt by it; or, *vice verſa*, he that was capable of being hurt by it, could not poſſibly have ſenſe enough to underſtand it; and he ſaid, he much feared that Jacobites of a ſuperior ſtamp, who openly avowed their principles, might exult at finding the court treat ſo ſilly a piece as a formidable matter, if a ſevere puniſhment were inflicted, inſtead of the paper being treated with that ſovereign contempt ſo deſpicable a production deſerved.

Mr Buller enforced the ſame arguments, and relied upon the ſtrength of them, that the court would think the moſt trifling penalty a ſufficient expiation of the defendants offence.

The defendants were committed to the king's-bench priſon, til the court ſhould have conſidered what judgement to pronounce.

They were again brought to the court Nov. 26. and ſentence pronounced, in ſubſtance as follows, by Mr Juſtice Aſton.

"You, Henry Sampſon Woodfall, and William Woodfall, have been found guilty of publiſhing a libel in your reſpective papers, the Public Advertiſer and the Morning Chronicle, of the 15th of February laſt, of a moſt dangerous and ſeditious nature. Some matter has been offered in extenuation by one of you, but the court are nevertheleſs clearly of opinion, that nothing has been ſuggeſted ſufficient to diſtinguiſh the nature of your offences, or the meaſure of your puniſhments.

The crime of which you are convicted, is publiſhing a libel highly reflecting on the Revolution, the ſureſt foundation of our preſent happy eſtabliſhment in church and ſtate, and repiete with the moſt glaring falſehoods and groſſeſt miſrepreſentations, aſperſing the conduct and character of the great prince and princeſs who were the prime inſtruments employed in bringing about that happy event. Much has been ſaid by your counſel, relative to the ſtupidity of the performance, in order to extenuate the ſuppoſed effects which might be otherwiſe imputed to it: but that cannot weigh with the court, when we ſee opinions of the moſt dangerous tendency maintained publicly, and applications made to the preſent times and preſent government, evidently deſigned to alienate the confidence of the people, and weaken the hands of thoſe to whom the conduct and execution of our public affairs is entruſted. Among many paſſages equally exceptionable, the people are told, "They are cheated under the ſpecious ſemblance of liberty, and the form of the conſtitution; but that, in reality, they are no better than mere ſlaves." It is therefore plain, that if ſuch doctrines and opinions were ſuffered to paſs unnoticed, or unpuniſhed, it might be productive of the moſt ſerious and moſt dangerous conſequences, as leading to a ſtate of anarchy, confuſion, and the deſtruction of all good government.

Though the liberty of the preſs be one great baſis of the liberty of the people, every abuſe of it, it is evident, will be proportionably more dangerous, becauſe it employs to the worſt purpoſes what is deſigned for the beſt. It adminiſters to faction and ill-founded diſcontent, on one hand, the means of depretiating government, and weakening that power ſo neceſſary to the effectual and ſalutary conducting of public affairs; while, on the other, it furniſhes individuals with frequent opportunities of calumniating the innocent, and of gratifying, to the deſired extent, every baſe ſuggeſtion of perſonal rancour and reſentment, and party-malice.

It

It has been ſtrongly urged by you, Henry Sampſon Woodfall, in juſtification, that when the libel of which you have been found guilty was publiſhed, you were then abſent from your houſe and buſineſs, being in cuſtody of the Serjeant at Arms belonging to the Houſe of Commons, under a reſolution of that Houſe: but as it plainly appeared, by the evidence at the trial, that the matter contained in the libel had been communicated to you, and had undergone your inſpection, and of courſe, by its being publiſhed, received your approbation, nothing urged by you on that ground can poſſibly avail.

On the whole, it has been offered by your counſel in juſtification generally, that you did not know the author, and that the very great hurry attending your buſineſs at the ſeaſon of the year, particularly at that very time, prevented you from examining the contents of the libel with the care and caution you uſually exert on ſuch occaſions. But the court can never receive any matter of this kind in juſtification; becauſe, if once admitted, the ignorance of the author, or the hurry and confuſion neceſſarily attending your ſituations, would be an apology for every ſpecies of this kind of offence whatever; and at once permit with impunity thoſe gratifications of faction, ideal diſcontent, and private malice, which are equally the bane of domeſtic happineſs, as they are the diſgrace of all good government.

The court doth therefore adjudge, That you Henry Sampſon Woodfall do pay a fine of two hundred marks, [133 l. 6 s. 8 d.], and do ſuffer three months impriſonment, and until the ſaid fine ſhall be paid: And that you, William Woodfall, do pay a fine of two hundred merks, and do ſuffer three months impriſonment, and until the ſaid fine ſhall be paid."

On the 24th of November, Mr Williams, bookſeller, in Fleet-ſtreet, was brought to the court of king's-bench, to receive judgement, for publiſhing a libel, in the Morning-Poſt of the 15th of February laſt, groſsly reflecting on the conduct and character of Mr Charles Fox, and a certain lady therein mentioned. After hearing counſel, Mr Juſtice Aſton remarked, that to be ſure the liberty of the preſs was the beſt protection of our liberties, but that when it was thus perverted, it was highly injurious to them; and that the offence was of ſo groſs and heinous a nature as to deſerve moſt exemplary puniſhment; and concluded with ſentencing Mr Williams to pay a fine of 100 l. and be impriſoned one month, and until the fine be paid. He was likewiſe ordered to pay all coſts.

We have to add to the elections mentioned in our laſt, that John Wilkes and John Glynn, Eſqs, were choſen for the county of Middleſex, Oct. 20. without oppoſition.

Lord Clive and Mr Leighton were returned duly elected for Shrewſbury, the latter in oppoſition to Mr Pulteney. A ſpeech made by the laſt-named gentleman is publiſhed, in which he ſays, "The unconſtitutional attempt made by ſome of his Majeſty's miniſters to diſappoint my election, muſt ſatisfy you, that I am not looked upon as one of thoſe who will be ready in parliament to ſacrifice the public intereſt, from any mean motive, or any particular intereſt of my own; and I hope, that the extraordinary letter from a public office to a voter here, which moſt people have ſeen, will teach you what to think of thoſe miniſters who have dared to proſtitute his Majeſty's ſacred name, by affirming it to be for his intereſt that the people ſhould chuſe ſuch repreſentatives as are recommended to them from the miniſterial boards. Such doctrines are ſubverſive of every idea of parliamentary repreſentation, and I am ſure will ever be treated by you with abhorrence. Nor am I leſs confident that ſuch new and dangerous doctrines are highly diſapproved by a prince, whoſe public character has been equally diſtinguiſhed for an ardent love of our free and happy conſtitution, as his private life has been juſtly celebrated for every virtue which can belong to a man."

The following is a copy of the letter alluded to.

"Secretary's office, Chelſea-college, Oct. 3. 1774.

Mr Crawford,

I am commanded to inform you, that it is expected that all the friends of government will give their votes for his Majeſty's intereſt; and as you are free of Shrewſbury, you will therefore be pleaſed to vote for Lord Clive and Mr Leighton, at the enſuing election. When you have given your vote, be ſo good as to ſignify the ſame to me; being, Sir, your very humble ſervant,

G. Russel, Aſſiſtant Secretary."

SCOTLAND.

As uſual on like occaſions, a letter was ſent by the ſecretary of ſtate, in October, to each of the Scottiſh Peers; which, after mentioning the diſſolution of the parliament, and that the election of the ſixteen repreſentatives of the Scottiſh Peerage was to be at Holyroodhouſe on the 15th of November, concludes thus. "On conferring with ſome of your Lordſhip's brethren, they approve of the ſixteen in the incloſed liſt. SUFFOLK"—— The ſixteen in the liſt were, the Dukes of Gordon and Athol, the Earls of Morton, Strathmore, Abercorn, Galloway, Loudoun, Dalhouſie, Breadalbane, March, Marchmont, Roſeberry, and Bute, the Viſcounts Stormont and Irvine, and Lord Cathcart; — The Earls of Morton, Galloway, Dalhouſie, and Breadalbane, to come in the room of the Marquis of Lothian, and the Earls of Errol, Dunmore, and Stair. [588.]

Previous to the election, copies of the *Conſiderations* above inſerted [561.] were ſent to all the Peers.

Two of the Peers in what is called the *King's liſt* having died before the election, their places were ſupplied, by new letters from the Secretary, as ſoon as accounts were received of their deaths; the Earl of Aberdeen being named in the room of the Earl of Morton [558.], and the Earl of Caſſilis in the room of the Duke of Athol. [559.] —— The oppoſers of miniſterial interference named the Earl of Eglintoun inſtead of the Earl of Caſſilis.

On Tueſday, Nov. 15. the election came on in the royal palace of Holyroodhouſe.—— After the oaths were taken by the Peers preſent, the Duke of Buccleugh gave in a paper to the clerk, which he deſired might be minuted, expreſſing his diſapprobation of the unconſtitutional interference of the miniſtry in the election of the Scottiſh Peers, which he conſidered as an inſult; and declared, that he voted for the liſt, which he recited, freely and independently.

The Earl of Hadinton ſpoke warmly againſt the miniſterial interference; and declared, that although he had a great regard for many of the noblemen nominated by the miniſtry, yet he would not vote for any of them, except Lord Breadalbane, who had teſtified his diſapprobation of miniſterial liſts, and was nominated on the occaſion by the miniſtry, unſolicited by him.—His Lordſhip voted for the Earls of Breadalbane and Eglintoun only.

The Earl of Home gave in a paper to be ingroſſed in the minutes, in which he declared, that he voted for the ſixteen noblemen in his liſt, becauſe he was ſincerely of opinion, that they were all well qualified to repreſent the Peerage of Scotland, and becauſe he wiſhed to preſerve unanimity, which he conſidered to be extremely neceſſary in the preſent ſituation of affairs.

The Earl of Selkirk ſpoke, with juſt indignation, of the ſhameful manner in which the Peers of Scotland were treated by the miniſtry, by ſending them a circular letter, with a liſt of candidates, for whom their intereſt was *requeſted*; that the *requeſt* of a miniſter was the ſame as a *command*; and that he could not but conſider this circular letter as a groſs invaſion of the liberties of the order to which he belonged.—His Lordſhip ſpoke, with great feeling, of the death of the late Earl of Morton: "The firſt notice," ſaid he, "that I had of my brother-in-law's death, was that deteſtable letter from Lord Suffolk." He ſaid, That upon a former occaſion [xxxii. 639.], he had expreſſed his ſentiments:—That as there was, at that time, a factious diſpoſition in the kingdom, he did not chuſe to carry the matter further; hoping alſo, that the miniſters would conſider better for the future, and not add a freſh injury to the Peers of Scotland; but that the miniſtry, it ſeems, ſtill perſiſted; and he could not tell how far they might go, if ſuch uſage was tamely received, by the Peers of Scotland, who might be choſen like the Biſhops of England by a *conge d'elire:* That he had all due reſpect for the King; and was perſuaded, that the nobles of this country were not ſo treated by his order:—That he was an honeſter man, infinitely, than any of his miniſters; and it was the miniſtry only whom he blamed. His Lordſhip concluded with moving, That ſince the efforts made by the Scottiſh Peers formerly [xxxii. 639.] had not had the deſired effect, a petition to the King might be drawn up by the independent Peers, praying his Majeſty to order his miniſters not to interfere for the future in the election of Scottiſh Peers.—This motion was ſeconded by the Earl of Hadinton.

The Earl of Dalhouſie and Lord Cathcart

cart ſaid, That this was an improper place and time to diſcuſs any point of that kind; that they would willingly attend, if a meeting were called for any future day, and give their opinions on the queſtion; that the preſent meeting was not a regular court, and had not a preſes, and were debates of that kind to take place, the greateſt confuſion would enſue, and they would become rather like a Poliſh diet than a meeting of Scottiſh Peers.

Lord Selkirk replied, That if ſuch miniſterial interference were allowed to go on, the election of the Peers of Scotland would indeed become like a Poliſh diet; but, like it too, he hoped the Peers, when their liberties were attacked, would defend them with the points of their ſwords. His Lordſhip, however, conſented at laſt to the propoſal, hoping the Noble Lords who made the propoſal, would call the meeting ſoon; and that it ſhould be in the palace of Holyroodhouſe, as there was no place more fit for telling the King truth than his own palace.

With reſpect to this propoſal, the Duke of Buccleugh ſaid, He did not think there was any occaſion to call a meeting, or to petition his Majeſty; that he looked upon the miniſter's letter as a perſonal affront, to which he gave an anſwer in ſuch ſtrong terms, that he had not received another, nor believed he ever would; and if every Peer would write ſuch an anſwer as he did, he was perſuaded the miniſtry would trouble none of them with ſuch letters any more.

The Earl of Aboyne ſaid, that he very much felt the indignity done to the Peers of Scotland by the miniſterial letter, and would moſt heartily unite with thoſe Noble Lords who were for taking proper meaſures to put an end to ſo ſhameful an infringement of the freedom of election; that he would vote for the Earl of Eglintoun, as one who had ſet up upon an independent footing; that he would alſo vote for the fifteen Peers recommended by the miniſtry; becauſe, although he did not like their nomination, yet he conſidered them as very well deſerving the honour of being choſen; that there were no other candidates, and that he did not chuſe to vote for Noble Lords who had not aſked to be elected, and to whom it might not be agreeable.

Lord Elibank ſpoke with his uſual ingenuity and eloquence, concluding thus: "As I have taken up too much of your Lordſhips time in ſpeaking, I ſhall take up very little in voting: for I vote only for four; for the Earls of Eglintoun and Breadalbane, as ſupporters of independency; for the Earl of Galloway, becauſe I promiſed to him, before I ſaw his name in the miniſterial liſt; and for Lord Viſcount Irvine, becauſe a kind of ſlur having been thrown upon his Lordſhip as a ſtranger in this country, I am deſirous to wipe it off, as far as my vote can go."

The noblemen who voted for the Earl of Eglintoun were, Preſent, the Duke of Buccleugh, Earls of Crawfurd, Eglintoun, Moray, Kelly, Hadinton, Galloway, Selkirk, Aboyne, Dundonald, Breadalbane, Hyndford, Viſcount Irvine, Lords Sommerville, Elibank, Kinnaird; Proxies, the Earls of Dumfries, Strathmore, Deloraine; Signed liſts, Lord Elphinſton.

For the Earl of Caſſilis, Preſent, Duke of Gordon, Earls of Errol, Caſſilis, Home, Lauderdale, Loudoun, Dalhouſie, Leven, Northeſk, Balcarras, Aberdeen, Roſeberry; Lords Forbes, Cathcart, Sempil, Colvill, Napier, Kirkcudbright; Proxies, Earl of Hopetoun, Lords Salton, Belhaven, Ruthven, Rollo; Signed liſts, Earls of Abercorn, March, Marchmont, Portmore, Bute; Lords Elphinſton, Lindores, Ballindean, Newark.

The numbers were thus: For

E. Eglintoun,		E. Cassilis,	
Preſent	16	Preſent	18
Proxies	3	Proxies	5
Liſt	1	Liſts	9
	20		32

There were alſo two liſts which had been ſigned before the deaths of the Duke of Athol and the Earl of Morton, with their names inſerted. All the Peers, except a few, voted for the other fifteen Peers, in the ſubſequent liſt, who are the ſixteen choſen, viz.

Duke of Gordon,	Earl of Aberdeen,
Earl of Caſſilis,	Earl of March,
Earl of Strathmore,	Earl of Marchmont,
Earl of Abercorn,	Earl of Roſeberry,
Earl of Galloway,	Earl of Bute,
Earl of Loudoun,	Viſc. Stormont,
Earl of Dalhouſie,	Viſc. Irvine,
Earl of Breadalbane,	Lord Cathcart.

The Earls of Caſſilis, Galloway, Dalhouſie, Breadalbane, and Aberdeen, are the new ones, who come in place of the Duke of Athol, the Marquis of Lothian, the Earls of Errol, Dunmore, and Stair.

There were extraordinary doings at the election of a repreſentative for the boroughs of Dunfermline, Inverkeithing, &c. Archibald Campbell, Eſq; of Inverniel, a lieutenant-colonel in India, ſet up in oppoſition to Col. Maſterton, the former member, and friend of Sir Laurence Dundas [556.]. — A few extracts from the news-papers will ſhow the ſpirit of the parties.

"*Oct.* 19. The letter of a certain Baronet would not have been produced againſt him, if there had not been the moſt p ſitive evidence of his having bribed a Dunfermline agent to betray his truſt."

"*Oct.* 21. As I was one of the agents in Dunfermline for Col. Archibald Campbell, who ſerved his intereſt in that borough, with the aſſiſtance of other friends and relations, with invariable fidelity and integrity, from Lammas 1773, to the cloſe of the Michaelmas elections 1774; in vindication of their and my character, I look upon myſelf as called upon to aſſure the public, that neither I, nor none for me, to my knowledge, have ever received any ſum or ſums of money, fee, gift, or reward, nor promiſe of money or good deed, in any ſhape whatever, from the Baronet hinted at, nor from any of his connections, friends, agents, or ſervants, nor from any perſon whatever on his or their account; and that every publication, report, or inſinuation, to the contrary, by whomſoever related, whether from the pulpit, by a bluſtering blunderbuſs of an old military chaplain, a peep ſma', or all other ſuch like buſy bodies, is falſe and ſlanderous, and moſt ungratefully injurious to the good name and reputation of me and my friends; and I challenge all mankind to adduce any evidence to the contrary, or to prove a ſingle inſtance of my having, during the above period, ever canvaſſed with, ſuggeſted to, or ſolicited any perſon, or perſons, to any other intereſt but that of Col. Campbell; and as the only mean to expiſcate the truth, I have given the neceſſary orders for a proſecution againſt the firſt author of this infamous aſperſion. ROBERT SCOTLAND."

By a card in next paper, Oct. 24. one under the name of *Pillory*, offers his ſervice to this gentleman, "in conſideration of his faithful ſervices to Col. Maſterton;" and mentions the circumſtances "of ſix hundred guineas to himſelf, a kirk in Edinburgh for his brother, both ſcarcely a ſufficient recompence for his taking in his gray-headed father to break his faith with Col. Campbell, and for his attempt to ſeduce different gentlemen at Dunfermline from the intereſt of that gentleman previous to the election of magiſtrates."

"*Edinburgh, Nov.* 2. To ſo great a pitch were politics carried in Dunfermline, that laſt Sunday one of their miniſters entertained his auditory with a diſcourſe on the ſubject. A correſpondent has favoured us with part of this diſcourſe, which, though he cannot vouch for the identical words, he is perſuaded is the purport of what was delivered, ſo far as regarded the political part of it, viz.

"Epheſ. iv. 25. *Wherefore putting away lying, ſpeak every man truth with his neighbour; for we are members one of another.*

—— Having thus explained to you, my brethren, the different kinds of *lying*, by which we may hurt either our neighbour, or ſin againſt our own ſouls; will any man pretend to tell me, after being informed by three inconteſtable evidences, that *that* man [*pointing to a certain perſon in the congregation*] does not *lie*, who will pretend to maintain, that he had not engaged to ſupport Col. Campbell's intereſt, when he was voted into the council by the friends of Col. Campbell alone, and had not a ſingle vote from the other party? I am convinced that theſe gentlemen had more wiſdom and judgement than to bring in any man into the council of Dunfermline, unleſs they had got the moſt convincing promiſes that he would ſtand by them, and the intereſt of Col. Campbell; yet, notwithſtanding, he did not ſo much as give them one vote. [*Here Mr J. S. roſe up, and told him, he was telling groſs lies and falſehoods.*]

There is another ſpecies of *lying*, with a view to hurt and defame the name and characters of our neighbours; as for one to ſay, "Such and ſuch a perſon has got money from Col. Campbell, to induce them to ſupport his intereſt, and that his *brother* has their receipts for the ſame:" yet that very man, upon being examined anent ſuch defamatory aſſertions,

tions, to deny the having ſaid ſuch things. —[*Here Mr D. S. roſe up, and told him, that he was uttering great lies.*]

And you, Robert Scotland, who have wrote a paper which appeared in the Caledonian Mercury, giving me the epithet of an *an old military chaplain*; this is a name I glory in, having lived fourteen years in the army, where I was always happy, and well ſatisfied with my ſituation. You alſo term me a *bluſtering blunderbuſs*; which I refuſe, and will refer to the whole congregation, if that cap does not more properly fit your head than mine.

I have, however, ſtronger things to ſay than this. Will any man pretend to maintain, but that you *lie*, by ſaying that you were a faithful and diligent agent for Col. Campbell, when the contrary can be proven by the evidence of three indiſputable witneſſes? If you had been a faithful agent for Col. Campbell, why were you ſo often in the camp of the enemy? A man in the army, if he were found in the enemy's camp, would be ſhot the next day. Had you acted juſtly and honeſtly, and had occaſion to be with the enemy of Col. Campbell upon buſineſs, you ought to have taken one along with you, to prevent ſuſpicion, and to ſhow that you were not doing any thing there to hurt Col. Campbell's intereſt.

Further, when Col. Maſterton came to town to entertain his friends, why were you anxious to dine with him, after it had been reſolved among the friends of Col. Campbell, that none of them ſhould dine with Col. Maſterton? and why did you write that day to Col. Campbell, that he needed not come to town until the evening? By all which his friends thought the cauſe in great danger of being hurt, had not his coming happily prevented you. [*While Mr T. was delivering this part of his ſermon, R. S. aroſe ſeveral times, and told Mr T. that what he was ſaying was groſs lies, and falſe calumnies, very unbecoming to be ſpoke from the chair of verity.*] If you acted as a *faithful* agent to Col. Campbell, why did you inſiſt on having every thing carried to your mind, and endeavour to get ſome of Col. Campbell's friends turned out, and thoſe who were his oppoſites (I will not ſay his enemies) kept in, and by inſiſting to bring in thoſe who were either doubtful, or in the oppoſite intereſt? It is not the duty of an agent to inſiſt on having every thing carried his own way. No doubt but it may frequently be his duty to remonſtrate, and lay matters properly before his employer; but he ought to leave it entirely to his conſtituent's prudence to chuſe what he thinks beſt. —— ******* And if the friends of Col. Campbell had not got convincing proofs of your deſigns to betray their cauſe, they would not have ſhut you out from their deliberations, when matters came to a criſis, and it was become neceſſary to have plans formed for conducting the common cauſe.

Perhaps you will ſay, What buſineſs has all this to do with the *pulpit?* But I think it has as much to do with the *pulpit*, as your paper had with the *Caledonian Mercury;* and thoſe that *ſin before all*, ought to be *rebuked before all*, that others may hear and fear, and do no more ſo wickedly. Wherefore, refrain from *lying*, &c."

Immediately after this extraordinary ſermon was concluded, and before prayer was begun, Mr R. S. roſe up, and, with an audible voice, told the miniſter, that it would be but fair he ſhould inform the congregation what *bribe* he had got from Col. Campbell, in order to induce him to utter and propagate ſuch falſe and injurious calumnies from the pulpit."

Several other manuſcript copies of this curious ſermon are handed about; but the above is the moſt perfect we could procure. Cal. Merc."

" *Nov.* 5. The following is an authentic account in what manner a certain agent was bribed, and yet received nothing from the hands of any perſon. —— The agent had been, from various circumſtances, much connected with another gentleman, diſtinguiſhed for his political attachment to one of the candidates, which afforded frequent occaſions of their meeting together. This political gentleman was very deſirous of making the moſt of theſe opportunities. The agent had been early employed by the other candidate, and intruſted with his ſecrets: it was therefore of the utmoſt importance to the political gentleman's ſide of the queſtion, to gain him over. — In proſecution of this deſign, the two gentlemen having dined together, the political friend, after dinner, took occaſion to give the agent a diſſertation on elections to the following purport:

That

That perſons concerned in ſuch employment might *lawfully* ſerve their *own* intereſts thereby, every man being for *himſelf*; that there would not be ſo many candidates for ſeats in parliament, if they had not their *own* ends in view; that *one* of the candidates was *well* known, and *powerfully* ſupported; whereas the *other* was a *mere ſtranger*; and he could not ſee any reaſon why he (the *ſtranger*'s agent) ſhould not embrace the preſent opportunity of ſerving *himſelf*.—After more converſation to the ſame purpoſe, and having paid ſome further devotion to the jolly god Bacchus, the political friend thought he had ſcrewed the other up to a proper key, and that the ſcheme was now ripe for execution. He accordingly took occaſion to obſerve to the agent, that his *wig* ſeemed to be ſomewhat out of order, and required to be adjuſted to his face, which he could eaſily do, if he would take the trouble of retiring to an adjoining cloſet, where there was a *looking glaſs*. He at the ſame time told him, that he would find lying on a table below the glaſs, ſome *bundles of papers*, which he might examine, and uſe his freedom with. The agent went as deſired; where, after adjuſting his *wig*, and ſurveying the *table*, he found lying on it *five* bundles, upon inſpection of which, he diſcovered that each of them contained 100*l. Sterling in bank-notes*. Theſe he had been previouſly deſired to uſe freedom with; which he accordingly did, by putting them in his *pocket*. Having returned from the cloſet, and joined the other gentleman, he was aſked, if he did not think his wig *now* fitted him better than formerly, and whether he had ſeen the papers, and put them in his pocket?—To both of theſe queries the agent anſwered in the affirmative. DETECTOR."

At the election, Oct. 31. three of the five delegates voted for Col. Campbell, and two voted for Sir Alexander Gilmour, who it is ſaid was not known to be a candidate till he was voted for. The Colonel is returned.

MARRIAGES.

Oct. At Dunninaud houſe, near Montroſe, James Watſon, Eſq; eldeſt ſon of Robert Watſon, Eſq; of Eaſt Rhynd, to Miſs Nancy Scott, daughter of —— Scott of Dunninaud, Eſq;

At Barking, in Eſſex, Sir Thomas Mill, nephew to Lord Mansfield, to Miſs Moffet, daughter of Andrew Moffet of Cranbourne, Eſq;

Nov. 11. At Edinburgh, Allan Macconochie, Eſq; of Meadowbank, Advocate, to Miſs Eliſabeth Welwood, third daughter of Robert Welwood, Eſq; of Garvock

17. At Brampton, near Northallerton, Mr Edward Clark, widower, to Mrs Anne Gibbins, widow, both of the ſame place, whoſe ages together are upwards of 160 years.

BIRTHS.

Nov. 8. At London, the Ducheſs of Manchester, of a ſon.

14. At London, the Counteſs of Carlyle, of a daughter.

25. At Edinburgh, Mrs Campbell of Aſkniſh, of a daughter.

DEATHS.

Chriſtian Jacobſon Dracenberg, a Norwegian, died in 1772, aged 146; as appears from his life, lately publiſhed, at Copenhagen, in the Daniſh language. He had ſerved in all the wars againſt the Swedes; in thoſe of Frederic III. Chriſtian V. and Frederic IV. He was afterwards taken priſoner by the Algerines, and was detained in ſlavery ſix years. At the age of 111, he married for the firſt time; but his wife did not live long; and, not long before his death, he again joined hands in wedlock.

Feb. 1. In Bengal, Enſign John Graham, ſon of Captain Graham of Deuchrie.

Oct. 19. At Turin, Andre Brizio de Bra, aged 122 years, ſeven months, and twenty-five days.—His death was occaſioned by a fall, otherwiſe he ſeemed likely to have lived ſome years longer.

28. At Lough-houſe, Iſle of Man, Mrs Penelope Macdowal, daughter of John Macdowal of Freugh, Eſq; and wife of Mr Ebenezer Macculloch, late merchant in Edinburgh.

"*London, Nov.* 29. A letter from Leghorn gives an account, that John Ginel, died lately at Sienna, aged 102; and that at a village in Tuſcany, a woman died a few days ago, named *Foggi*, aged 105."

Nov. 2. In the pariſh of Daviot, Iſabel Walker, aged 110.

4. At Gaſk, Perthſhire, Mrs Oliphant of Gaſk.

4. At Aberdeen, Mr John Finlayſon, collector of exciſe at that place

6. At London, Thomas Bradſhaw, Eſq; one of the Lords of the Admiralty, and one of the members for Saltaſh.

5. At Edinburgh, Mrs Eleonora Bothwell, daughter of the deceaſed Henry Lord Holyroodhouſe.

6. At Aberdeen, aged 67, Mr James Brodie, miniſter at Latheron in Caithneſs.

9. At

9 At Congalton, Colonel James Hepburn of Keith, Esq: aged 84.

9 At Ballachulan, Perthshire, David Home-Stewart of Argaty, Esq;

9. At Queenborough, Kent, in the 32d year of his age, Mr John Bonnar, minister of that parish, and chaplain of his Majesty's ship Triumph. This gentleman was son of Mr Andrew Bonnar merchant in Edinburgh, deceased, and was some years minister of St Andrew's chapel in that city.

10. At Hammersmith, in an advanced age, Mrs Joanna Stephens, who in 1739 received 5000l. from parliament for the discovery of her medicines for the cure of the stone. [i. 268.]

12. At London, Mr Patrick Murdoch, D. D. and F. R. S. a gentleman well known for his skill in Mathematics.

13. At Dalguise, Perthshire, Mrs Stewart of Dalguise

The Countess-dowager of Effingham, one of the ladies of the bed-chamber. Her death was occasioned by a fright she received by her cloaths taking fire as she sat reading in her apartments at Hampton-Court.

15. At Edinburgh, the Hon. Mrs Napier, wife of the Hon. Capt. Charles Napier.

15. At Aberdeen, George Scott, Esq; sometime Lieutenant-Colonel of the 25th regiment of foot, aged 72.

16. At Kilgraston, Perthshire, Mrs Craigie of Kilgraston.

17. At Bath, Sir James Hodges, Kt. town-clerk of the city of London, formerly a bookseller in London.

20. At Edinburgh, Miss Anne-Mary Erskine, eldest daughter of the Hon. Henry Erskine.

21. At Belvedere, in Ireland, in the county of Westmeath, the Earl of Belvedere, Mustermaster-General of his Majesty's forces in Ireland.

23. At London, Robert Lord Clive, of Plassey in the kingdom of Ireland, K. B. major-general in the East Indies, member of parliament for Shrewsbury, L. L. D. and F. R. S. —— His Lordship was twice Governor of Bengal, and Commander in Chief of the King's and Company's Forces in that province. His Lordship was born on Michaelmas day, 1725; and married Margaret, the daughter of Edmund Maskelyne, Esq; of Purton in Wilts; by whom he had issue, now surviving, Edward (now Lord) Clive, member for Ludlow; Robert, an infant; and three daughters, Rebecca, Charlotte, (to whom her present Majesty stood godmother), and Margaret.

24. At Moffat, Mrs Margaret Tweedie, daughter of the deceased James Tweedie, of Oliver, Esq;

At Bristol, Mr Emanuel Smithson, aged 101, one of the people called *Quakers*, and a speaker among them.

25. At Cricklade, in Wilts, William Earle, Esq; lately elected member of parliament for that borough.

26. At Redrie, near Andover, Stephen Fox, Lord Holland, Baron of Boxley in Wilts, and Clerk of the Pells in Ireland. His Lordship married Lady Fitzpatrick, sister to the Earl of Upper Ossory, by whom he had one daughter, and a son, now an infant, to whom the title descends —The Hon. Charles James Fox, brother to his Lordship, succeeds to the Clerkship of the Pells.

27. At Dalmeny, aged 91, Mr James Nasmith, minister of that parish.

27. At Edinburgh, Alexander Orr, Esq; of Waterside, writer to the signet.

27. At Bath, Dr James Johnston, Bishop of Worcester. His death was occasioned by a fall from his horse.

28. At Hartley-hill, in Berks, Mr Isaac Warnford, a farmer, aged 103.

30 At Kinross, Mr Peter Reid, writer.

PREFERMENTS.

From the London Gazette.

The King has been pleased,

Nov. 1. to grant unto George Harrison, Esq; the office of Windsor Herald of Arms, vacant by the death of Henry Hill, Esq;

12. to grant unto Richard Browne, D. D. the office of Hebrew Professor in the university of Oxford, with the Prebend of Christchurch thereunto annexed, void by the death of Dr Thomas Hunt.

—to grant unto Wadsworth Busk, Esq; the office of his Majesty's Attorney-General in the Isle of Man.

22. to appoint the following persons to be of his Majesty's Most Honourable Privy Council in Ireland, viz.

Thomas Earl of Westmeath,

Richard Earl of Shannon,

Brinsley Earl of Lanesborough,

Charles Earl of Bellamont,

Lt-Gen. George Augustus Elliott, commander in chief of his Majesty's land-forces in Ireland,

Charles Dillon, Esq;

Henry Flood, Esq; of the county of Kilkenny;

and to confer the dignity of a Baronet of Ireland upon

Henry Hamilton, of Manor Cuningham in the county of Donegal, Esq;

John Allen Johnstone, of the county of Dublin, Esq; and

Francis Lumm, of Lummville in the King's county, Esq;

and to their heirs-male;

and to appoint Godfrey Lill, Esq; (late solicitor general), to be one of the Justices of the court of Common Pleas in Ireland, in the room of Edmond Malone, Esq; deceased; and John Scott, Esq; (late counsel

to

to the commiſſioners of the revenue, and one of his Majeſty's counſel learned in the law), to be his Majeſty's Solicitor-General in Ireland, in the room of the ſaid Godfrey Lill, Eſq;

26. to appoint James Earl of Courtown to be one of his Majeſty's Moſt Honourable Privy Council in Ireland.

— to approve of the election of the Rt Hon. Lord North to be Recorder of the borough and town of Taunton, in the county of Somerſet, in the room of the Earl of Thomond, deceaſed.

— to appoint Richard Earl of Shannon to be Muſtermaſter-General and Clerk of the Cheque of his Majeſty's Armies and Garriſons in Ireland, in the room of Robert Earl of Belvedere, deceaſed.

War-office, November 7. 1774.

Coldſtream reg. of foot-guards: Henry Aſtley Bennett, Gent. is appointed to be Enſign, vice John Bagnall; by purchaſe.

Royals, 1ſt bat.: Lieut. Guſtavus Nicolls to be Quartermaſter, vice Frederick Falkiner; by purchaſe.

16th reg. of foot: William Barwell, Gent. to be Enſign, vice Thomas Wintringham; by purchaſe.

30th reg. of foot: Capt. John Bell to be Captain, vice John Jennings, deceaſed.

Ditto: Lieut. John Lord Kirkcudbright to be Captain-Lieutenant, vice John Bell.

Ditto: Enſ. William Rochfort to be Lieutenant, vice John Lord Kirkcudbright.

Ditto: James Dumas, Gent. to be Enſign, vice William Rochfort.

31ſt reg. of foot: Capt. James Boucher to be Captain, vice Edward Crofton; by purchaſe.

Ditto: Lieut. Charles Green to be Captain, vice James Boucher; by purchaſe.

Ditto: Enſ. Adam Hay to be Lieutenant, vice Charles Green; by purchaſe.

Ditto: Francis Napier, Gent. to be Enſign, vice Adam Hay; by purchaſe.

32d reg. of foot: William Ogle, Gent. to be Enſign, vice William Doughty, preferred; by purchaſe.

59th reg. of foot: Enſ. James Freeman to be Lieutenant, vice Charles Owen; by purchaſe.

Ditto: Forbes Roſs Mac Donald, Gent. to be Enſign, vice James Freeman; by purchaſe.

War-office, Nov. 21. 1774.

1ſt troop of horſe-guards: Guidon and Maj. Peter Ryves Hawker is appointed to be Cornet and Major, vice Charles Lanoe, deceaſed.

Ditto: Exempt and Capt. Thomas Dufour Eaton to be Guidon and Major, vice Peter Ryves Hawker.

Ditto: Brig. and Lieut. Richard William Wilſon Briſtow to be Exempt and Captain, vice Thomas Dufour Eaton.

Ditto: Sub-Brig. and Corn. Thomas Otger to be Brigadier and Lieutenant, vice Richard William Wilſon Briſtow.

Ditto: James D'Auvergne, Gent. to be Sub-Brigadier and Cornet, vice Thomas Otger.

2d troop of horſe-grenadier guards: Sub-Lieut. Eraſmus Corbet to be Guidon and Captain, vice Robert Boothby, deceaſed.

Ditto: Adj. and Sub-Lieut. Andrew Corbet to be Sub-Lieutenant, vice Eraſmus Corbet.

11th reg. of dragoons: Corn. Peter Boiſſier to be Lieutenant, vice William Craddock; by purchaſe.

8th reg. of foot: Enſ. Henry Young to be Lieutenant, vice George Dame, who retires.

16th reg. of foot: Capt. Nicholas Cox, from halfpay, to be Captain, vice Thomas Fownes, who exchanges.

36th reg. of foot: Thomas Monerieffe, Gent. to be Enſign, vice Francis Pierſon, preferred; by purchaſe.

48th reg. of foot: Charles John Carr, Gent. to be Enſign, vice Robert Carr; by purchaſe.

Ditto: Rowley Godfrey Gent. to be Enſign, vice William Moore, ſuperſeded.

Ditto: —— Houſton, Gent. to be Enſign, vice Thomas Scott, deceaſed.

Royal Americans, 2d bat.: Capt. Thomas Grandidier to be Captain of a company, vice John Bradſtreet, deceaſed.

Ditto: Lieut. Diederick Brehm to be Captain-Lieutenant, vice Thomas Grandidier.

[*The reſt of theſe Preferments in our next.*]

Edinburgh, Dec. 20. 1774. Oat-meal, 11. Bear-meal, 7d. 2f. Peaſe-meal, 8d.

The Edinburgh bill of burials for November 1774.

Within the city	Males 40	Fem. 37	77	110. Incr. 0.
In the Weſt-kirk-yard	Males 12	Fem. 21	33	

Age.			No.	Diſeaſes.	No.
Under		2	42	Aged ——	10
Between	2 &	5	10	Aſthma ——	1
	5 &	10	12	Bowelhive ——	1
	10 &	20	4	Chincough ——	2
	20 &	30	5	Childbed ——	2
	30 &	40	6	Conſumption ——	28
	40 &	50	3	Dropſy ——	2
	50 &	60	4	Fever ——	38
	60 &	70	10	Iliac paſſion —	1
	70 &	80	8	Small pox ——	24
	80 &	90	5	Suddenly ——	1
	90 &	100	1		